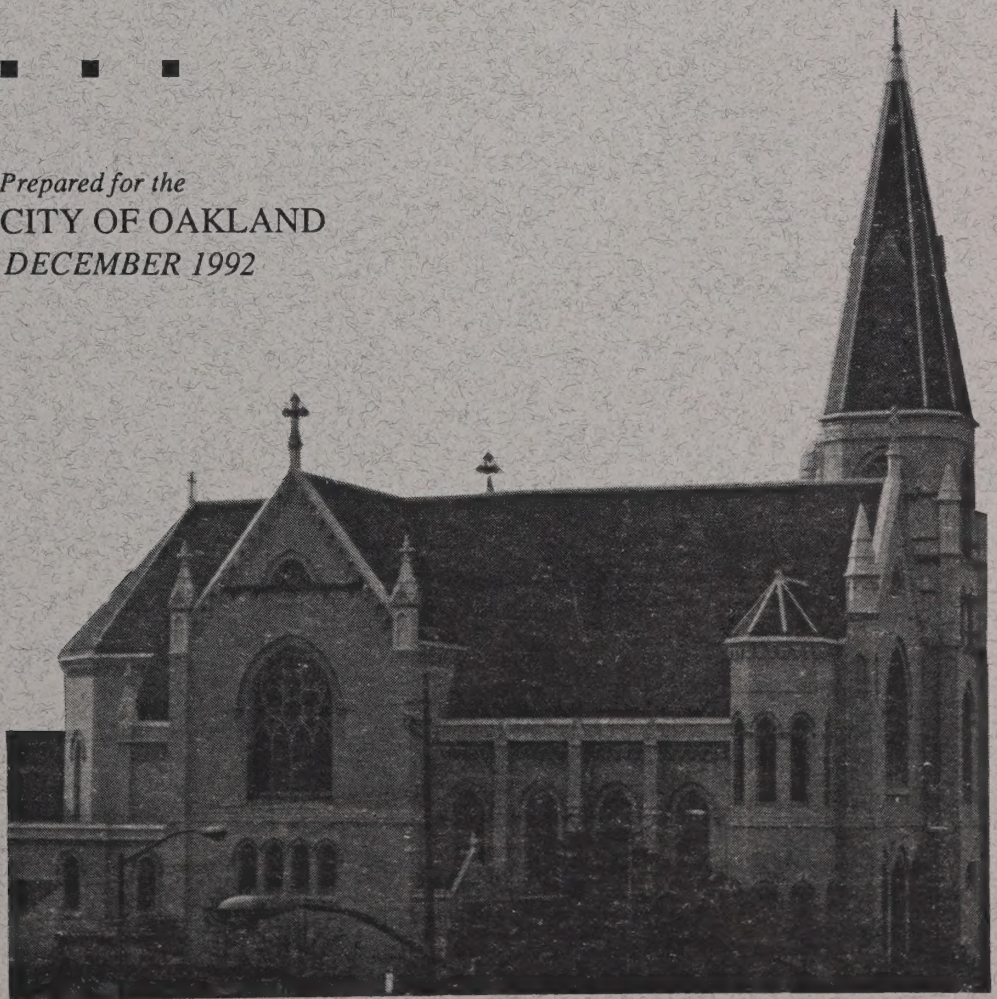

ST. FRANCIS DE SALES CATHEDRAL DEMOLITION

FINAL
ENVIRONMENTAL
IMPACT REPORT
SCH# 92013061

■ ■ ■

Prepared for the
CITY OF OAKLAND
DECEMBER 1992



BRADY AND ASSOCIATES PLANNERS AND LANDSCAPE ARCHITECTS

File No. ER90-150
Ref. No. D90 - 445

City of Oakland
Oakland, California

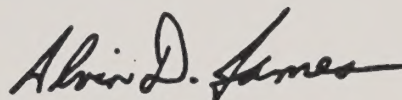
FINAL ENVIRONMENTAL IMPACT REPORT FOR:

St. Francis de Sales Demolition

(Project Title)
California Environmental Quality Act

CERTIFICATION OF COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Director of City Planning finds that the attached Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, the Guidelines prescribed by the Secretary for Resources, and the provisions of the City of Oakland's Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act.



ALVIN D. JAMES
Director of City Planning

DATE: December 7, 1992

ACCEPTANCE OF FINAL REPORT BY CITY PLANNING COMMISSION

The attached Final Environmental Impact Report was accepted by the Oakland City Planning Commission at its meeting of _____.

THOMAS H. DOCTOR, Secretary
City Planning Commission

ST. FRANCIS DE SALES CATHEDRAL DEMOLITION

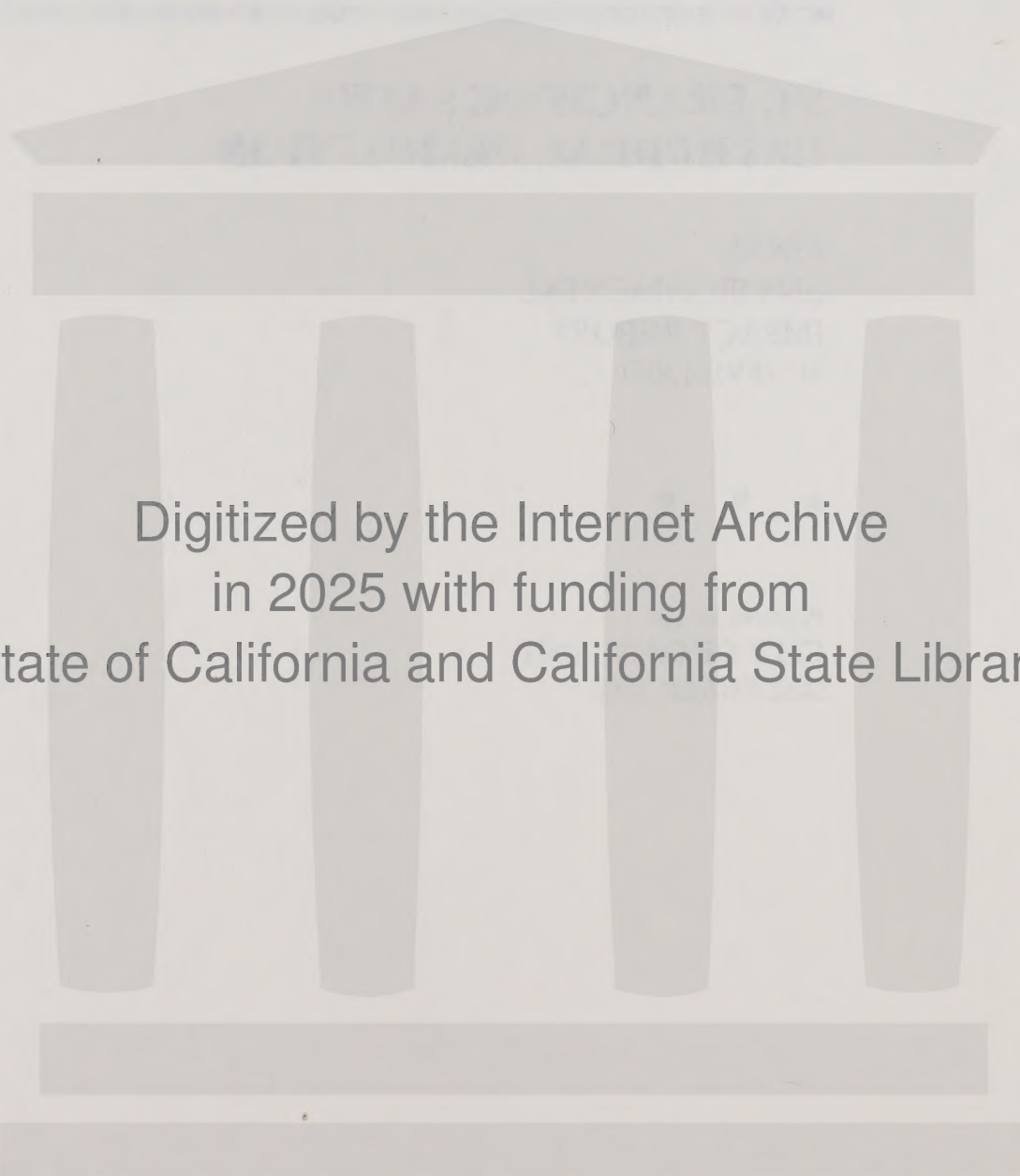
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Prepared for the
CITY OF OAKLAND
DECEMBER 1992

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In association with
CORBETT AND BRECHIN, HISTORIANS



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St. Francis de Sales Cathedral Demolition FEIR
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Chapter I INTRODUCTION

■ ■ ■

A. Purpose and Content of the EIR

This report is the second of two volumes, which together constitute the Final Environmental Impact Report (EIR) on the proposed St. Francis de Sales Demolition project in the City of Oakland, California. The first volume consists of the Draft EIR (DEIR), dated June 1992, which includes a description of the proposed project, an assessment of the potential effects associated with the project, a set of recommended mitigation measures to avoid or reduce such effects, and project alternatives.

This second volume consists of Responses to Comments on the Draft EIR. It includes an introduction, a summary of issues, environmental impacts and mitigation measures, revisions to the text of the Draft EIR, a list of commentors on the Draft EIR, verbatim copies of comments, and responses to those comments. Technical appendices are also included. The Draft and Final EIR have been prepared according to the provisions of the California Environmental Quality Act (CEQA).

B. Environmental Review Process

According the State law, lead agencies are required to consult with and respond to any comments received from public agencies having jurisdiction with respect to a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to those comments received and to clarify any errors, omissions, or misinterpretation of discussion or findings in the Draft EIR.

The Draft EIR was made available for public review in June 1992, through notice to persons on a City-maintained mailing list for the area, signs posted in the project vicinity, newspaper advertisements, and through the State Clearinghouse. The CEQA-required 45-day review period ended in August

1992. A public hearing was held before the City Planning Commission to solicit comments from the public and commission members on August 25, 1992.

Copies of all written and oral comments received on the Draft EIR are contained in this volume. Letters and individual comments are assigned numbers, indicated in the right margin. Responses corresponding to the numbered comments follow each letter and the record of oral testimony.

This Final EIR Addendum will be presented at a Planning Commission hearing at which the Commission will consider certification of the EIR as a full disclosure of potential impacts, mitigation measures and alternatives. The EIR will be formally certified by the City Council at a public hearing.

The Final EIR has been made available for public review at the City Planning Department at 1330 Broadway, Suite 310. Other public agencies will be provided with draft responses to their comments at least 10 days prior to the final City Council certification hearing.

Approval or disapproval of the proposed project will occur in public hearings before the City of Oakland. If the project is approved, recommended mitigation measures could be required as conditions of that approval.

C. How to Use This Report

This report is divided into five sections, which are outlined below. Each of these sections has its own purpose and serves, in conjunction with the Draft EIR, to aid the reader in fully understanding the project and its implications.

The *Introduction* notes the purposes and contents of the Final EIR, the environmental review process, and the contents of this report.

The *Summary of Impacts and Mitigation Measures* chapter briefly describes the project and contains a Summary Table which lists the potential impacts of the project and recommended mitigation measures that would reduce or avoid such impacts. The level of significance of each impact before and after mitigation is identified. This table has been revised and updated from the table shown in the Summary chapter in the Draft EIR to reflect changes that resulted from the public review process. Other data and detailed discussion of the project are contained in the Draft EIR.

The *Revisions to the Draft EIR* chapter presents a listing of changes to the text of the Draft EIR that resulted from responses to comments raised during the public review period, as well as minor editorial changes for correction and clarification.

The *Revisions to the Alternatives Chapter of the Draft EIR* includes a full rewrite of the alternatives discussion in the DEIR. This discussion has been expanded to include more detail on the nature and potential costs of the alternatives, as requested by several commentors.

The *List of Commentors* includes a list of all agencies and individuals who submitted written comments on the Draft EIR or commented at the Planning Commission's public hearing held on August 25, 1992 to review the Draft EIR.

The *Comments and Responses* chapter includes a reproduction of each letter received during the public review period, a summary of comments made at the public hearing, and responses to each comment.

Chapter II

SUMMARY OF IMPACTS AND MITIGATION MEASURES

■ ■ ■

A. Project Under Review

This EIR has been prepared to evaluate the environmental impacts of the proposed St. Francis de Sales Cathedral demolition project that would remove the damaged cathedral and replace it with a street-level parking lot and terrace to serve the remaining community center and rectory. The Church, built between 1891 and 1893, was heavily damaged in the October, 1989 Loma Prieta earthquake and has been unused since that time. Demolition on the cathedral, which appears eligible for federal, state and local historic listing would include salvage of unique materials such as stained glass windows, pews and religious articles.

B. Summary of Impacts and Mitigation Measures

This summary section of the Final EIR summarizes the results of the Draft and Final EIR investigation of potential impacts of the proposed project. The Draft EIR, completed in accordance with the California Environmental Quality Act (CEQA), identified potential impacts of project implementation and recommendations for mitigating potentially significant impacts. These impacts and mitigation measures have been revised slightly in this Final EIR Addendum, and are summarized in the attached table.

The St. Francis de Sales Demolition project has the potential to result in environmental impacts in a number of areas. Some impacts would be significant without the implementation of mitigation measures, but would be reduced to a less than significant level if the mitigation measures noted in this report are adopted. Other specific impacts would be significant and unavoidable even with mitigation measures. Those impacts that would remain at significant levels after mitigation would require findings of overriding consideration prior to project approval.

C. Summary Table

The following table presents the summary of findings from the Draft EIR, as revised in this Final EIR, and it also includes required information on mitigation monitoring. The table is arranged in four columns: 1) environmental impacts; 2) level of significance without mitigation; 3) mitigation measures; and 4) level of significance after mitigation. This table format was included in the Draft EIR. Discussions of the project characteristics, potential impacts, and recommended mitigation measures that form the basis of this table are found in the Draft EIR. All changes to the text of the Draft EIR that are discussed in Chapter III of this Final EIR have been incorporated into the table.

Table 1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
LAND USE			
<u>A-1:</u> Removal of the Cathedral of the Oakland Diocese from downtown Oakland would result in a have significant physical change in the environment and detrimental effects on Oakland's community pride and future development.	S	<u>A-1:</u> None available. The Catholic Church should designate a new Cathedral for the Oakland Diocese in downtown Oakland before demolition of the existing Cathedral commences.	LS SU
<u>A-2:</u> The Cathedral demolition would be inconsistent with the City of Oakland Policy Plan's Preservation Policy 4.	S	<u>A-2:</u> None available, except for preservation of the existing structure, which is technically feasible but economically infeasible at this time.	SU
<u>A-3:</u> Cathedral demolition would could conflict with City design review criteria for historically important sites.	S	<u>A-3:</u> None available.	SU

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
VISUAL AND DESIGN FACTORS			
B-1: Demolition of the Cathedral would remove a visual landmark structure, permanently changing the visual character of the area when seen from local and regional viewpoints.	S	B-1a: The Cathedral should be replaced with a monument of similar character, which could include a bell tower, cross, or other artifacts and symbols of the Cathedral to provide a visual presence of the church in the community. The monument should be located as a terminal view of Martin Luther King Jr. Way from the City Center area, and be visible from I-980 as a prominent focal point for the neighborhood. And B-1b: The City should condition the future construction of any building on the project site on the provision of a tower at the corner of Martin Luther King Jr. Way and 21st Street. This tower should create a terminus for Martin Luther King Jr. Way. And B-1: A document, such as a deed on the property, should be recorded with the City to stipulate that any replacement building on the site Any future building should would be subject to City design review to ensure that its massing and detailing creates a visual landmark on the project site.	SU

LS = Less than Significant Impact

S = Significant Impact

SU = Significant Unavoidable Impact

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
<u>B-2:</u> The proposed site plan could would be out of scale with the neighboring plaza and residences. The proposed fence design uses a larger scale of brick and iron and less articulation of the fence than the existing rectory fence.	S	<u>B-2a:</u> The proposed parking lot should be redesigned to reduce the amount of paving by narrowing the travel lane to 24 feet, maintaining the minimum 18-foot parking stall depth, for a total width of 60 feet from curb to curb. This would provide for a larger terrace area, with potentially more landscaping, and would reduce the amount of asphalt paving.	LS
		<u>B-2b:</u> To make the most use of the open paved surfaces, the parking lot or terrace should be provided with recreational facilities, such as basketball hoops, for off hours use by members of the church and community. And-	LS
		<u>B-2c:</u> The existing fence around the Community Center should be replaced and the new fence proposed surrounding the area where the Cathedral now stands should be redesigned to more closely match the existing style in front of the Rectory.	LS
<u>B-3:</u> Cathedral demolition and new site improvements would could adversely affect the adjacent Bishop Begin Plaza if demolition activity in the plaza destroys existing landscaping and new landscaping at the Cathedral site is incompatible with the plaza's landscape design. The Plaza has already suffered deterioration while access has been limited due to safety concerns.	S	<u>B-3a:</u> The applicant should provide for the restoration of Bishop Begin Plaza at the close of demolition. And-	LS
		<u>B-3b:</u> The applicant should submit project plans to the Office of Parks and Recreation for review and approval prior to construction, to ensure appropriate landscape and lighting design.	LS
<u>B-4:</u> If not properly designed, the new parking lot on the site could be a security risk, which would be a threat to public safety and required increased police protection.	S	<u>B-4:</u> The applicant should work with the Oakland Police Department's Community Services Division to ensure that the project includes adequate lighting and that landscaping does not create a barrier to officers viewing the parking lot.	LS

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
HISTORIC RESOURCES			
<u>C-1:</u> Demolition of the St. Francis de Sales Cathedral would result in the loss of a structure that is apparently eligible for the National Register of Historic Places and designation as a State and City Historic Landmark.	S	<u>C-1a:</u> The applicant should complete a Historic American Building Survey (HABS) Level I or Level II documentation of the Cathedral prior to its demolition. The required level of documentation would be determined in consultation with the National Park Service, the State Historic Preservation Officer, and the City of Oakland. And	SU
		C-1b: The applicant should establish a permanent museum of the Catholic Church in Oakland on the project site or elsewhere. And	SU
		C-1c: In the tradition of this parish and many Catholic churches, the applicant could commission a thorough history of St. Francis de Sales Cathedral. And	SU
		C-1d: The archives of the Archdiocese of San Francisco should be made available for research and documentation of other East Bay churches as part of a thorough historic survey of Catholic churches. And	SU
		C-1e: Elements of this church should be preserved in museums or other buildings, and the applicant should find final locations for them and help meet the costs of relocation. Elements to be preserved should include the bell and yoke, the tower staircase railings and newel posts, the oak front doors and their hardware, baptistery pendant fixtures, stained glass windows, plaster bosses and column capitals if possible, wood paneling in the narthex and baptistery, metal crosses and finials on the roof, the oak Gothic style confessionals, the font in the	SU

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
<u>C-1:</u> continued		narthex, the gilded Victorian mirror in the sacristy, the memorial plaque to Jane Canning at the northeast corner of the building, and the modern art from the 1966 remodeling including the panel of St. Francis de Sales and the Stations of the Cross.	
SHORT-TERM IMPACTS			
<u>D-1:</u> Nearby residences, offices, commercial businesses and public spaces could would be exposed to excessive noise due to short-term demolition and construction associated with structural disassembly, possible building collapse, demolition equipment operation, haul truck traffic, and construction of the proposed parking lot and terrace extension. Significant disturbance from on-site impact tools would occur for a distance of roughly 400 feet, at which point sound levels of 81 dBA might be experienced, assuming noise levels of 90 dBA at 50 feet and a rate of attenuation of about three (3) dB for every doubling of distance from a point source. Truck traffic would generate peak noise at levels between 55 and 80 dBA along the length of the selected hauling routes.	S	<u>D-1a:</u> One week notice should be given to potentially affected residents and businesses prior to commencing demolition activity so that they may be prepared for the disturbance. And - <u>D-1b:</u> Demolition and construction activities and material delivery should be prohibited between 7 PM and 7 AM, and on weekends and State and federal holidays. And - <u>D-1c:</u> The majority of the demolition should be conducted using disassembly methods, rather than wrecking-ball type mass demolition, unless demonstrably infeasible for reasons of worker safety. And - <u>D-1d:</u> Quiet models of construction equipment and trucks should be used. Sound levels for equipment, other than impact tools, should not exceed 80 dBA at a distance of 100 feet from the source. Impact tools should be muffled on both the intake and exhaust. Internal combustion engine-driven equipment should be tuned and meet OSHA and Department of Motor Vehicle noise muffler standards. And - <u>D-1e:</u> Stationary construction equipment, such as compressors, should be placed as far as possible from occupied areas, and should be buffered with acoustic barriers when feasible and appropriate. Equipment not actively in use should be shut down to reduce unnecessary idling noise.	SU SU SU SU SU

LS = Less than Significant Impact

S = Significant Impact

SU = Significant Unavoidable Impact

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
(D-1 continued)		And - <u>D-1f:</u> Truck traffic should be routed according to the direction of the Traffic Engineering Division of the City of Oakland Public Works Department, providing the shortest feasible travel distance through residential, office and commercial areas. If substantial neighbor complaints result, appropriate rerouting should be implemented. In particular, 21st and 22nd Streets should be avoided as truck routes.	SU
<u>D-2:</u> Demolition and construction activity would generate fugitive dust, presenting a nuisance to neighboring properties and contributing to the already excessive regional particulate PM_{10} levels.	S	<u>D-2a:</u> Debris should be watered down and truck loads covered to control dust on-site and on local roadways. And - <u>D-2b:</u> Local streets in the project vicinity should be swept on a daily basis during demolition to reduce the amount of fugitive dust that could be resuspended by vehicle traffic. And - <u>D-2c:</u> Site improvements should be made as soon as possible immediately following demolition and ground clearing to reduce the time period of potential wind erosion of exposed soil.	LS LS LS
<u>D-3:</u> Fuel combustion emissions would result from on-site demolition and construction equipment, off-site vehicle traffic for hauling debris and delivering building materials, and construction worker traffic to and from the site.	S	<u>D-3a:</u> On-site construction equipment should be required to have recent low-NOx tune-ups and use low sulfur diesel fuel, as available. And - <u>D-3b:</u> Stationary pollutant sources (such as generators and compressors) should be located away from the Rectory, Community Center and local residences as much as possible. If located near these sensitive receptors, the equipment should be equipped with a supplementary pollution control system on its exhaust. And - <u>D-3c:</u> Mobile pollutant sources (such as trucks and loaders) should have their engines turned off if idling for more than ten minutes in one location.	LS LS LS

LS = Less than Significant Impact

S = Significant Impact

SU = Significant Unavoidable Impact

Environmental Impacts	Impact Significance Prior to Mitigation	Recommended Mitigation Measures	Significance After Mitigation
<u>D-4:</u> A short-term increase in parking demand near the project site would occur during demolition and construction activities due to displacement of the 23 spaces on the Church's western parking lot and additional worker and equipment parking demand.	S	<u>D-4a:</u> The applicant should obtain all necessary permits and pay all fees related to the temporary loss of on-street parking spaces. And - <u>D-4b:</u> The applicant should arrange for adequate staging areas on local parking lots for worker and visitor parking and equipment and material storage.	LS LS
<u>D-5:</u> A short-term increase in worker vehicle and heavy truck trips in the site vicinity would occur during demolition and construction activities, possibly resulting in noise, dust and congestion on local streets.	S	<u>D-5:</u> See Mitigation Measure D-1f. The applicant should investigate the shortest or least disruptive truck traffic routing and inform all contractors of the route. If complaints arise from neighbors, the applicant should attempt to reroute the traffic to lessen impacts. In particular, 21st and 22nd Streets should be avoided as truck routes.	LS
<u>D-6:</u> Temporary traffic congestion could occur if street lane closures are required for equipment staging and public safety during demolition.	S	<u>D-6:</u> The applicant should arrange with the City for the provision of all traffic and pedestrian warning, direction, and safety measures, including signs, flag persons, and lighting. Peak-hour lane closures should be avoided.	LS
<u>D-7:</u> Temporary diversion of local traffic may be required on 21st Street and 22nd Street during demolition activity.	S	<u>D-7:</u> The applicant should coordinate with the City Public Works department regarding closure/redirection signs, minimize the time period of closures, and provide for two-way traffic on the streets for access to existing uses.	LS
<u>D-8:</u> The noise, dust and traffic impacts identified in this section could result in a loss of revenues for businesses located near the Cathedral. This could cause businesses to fail, which could lead to blight and decay in the surrounding area.	S	<u>D-8:</u> The applicant should provide monetary remuneration to businesses that demonstrate a direct loss of business due to construction-period impacts of Cathedral demolition.	LS

Chapter III REVISIONS TO THE DRAFT EIR

■ ■ ■

A. Introduction

This chapter includes revisions to Chapter III (Project Description) and Chapter IV (Setting, Impacts and Mitigation Measures) of the DEIR. The Alternatives chapter of the DEIR has been revised and included in its entirety in the following chapter; therefore, any revisions related to alternatives are not found within this chapter. This organization was selected so that the entire alternatives chapter, with its original headings and subheadings, could be reproduced as organized in the DEIR.

A revised Summary Table of impacts and mitigation measures incorporating changes to it is shown in Chapter II of this Final EIR. This chapter does not include changes to the Summary Table itself.

Revisions respond to comments on the DEIR and requests for additional information or clarification from City staff, Planning Commission members, other responsible agencies and the public during the EIR review period. Verbatim comments and prepared responses are shown in Chapter V of this Final EIR.

In this chapter, shaded type represents new or revised text. ~~Strikeout~~ type indicates text that is deleted from the Draft EIR.

B. Revisions to the Draft EIR

Page 31: Paragraph 5 on this page is hereby amended, as follows:

...The existing Rectory and Community Center on the site, which were not significantly damaged in the earthquake, would be retained. The Diocese has elected to demolish the Cathedral because its cost estimates for restoration and rebuilding indicated that it would be economically infeasible for them to restore the church. As clarified in the PAST report, economic feasibility has two main components: (1) how much something will cost, and (2) whether funding sources can be developed

to cover these costs. The PAST report does not significantly dispute the Diocese's cost estimates. It does point out that the Diocese's figures includes costs for repairs to the Cathedral unrelated to earthquake damage. The PAST report recommends phasing these expenses so that the Cathedral may be reopened more quickly. On the second point, the PAST report is clear in stating that "without the active and willing support of the Diocesan leadership a capital campaign to raise \$3 million or more (which is half of what the Diocese has estimated would be needed) to repair and retrofit the Cathedral would not be feasible." The PAST report's analysis is contained on pages 32 through 42 of their report, which is found in Appendix B of the Draft EIR.

Page 32: Paragraph 1 on this page is hereby amended, as follows:

. . . parking lot and terrace to serve the remaining Community Center and Rectory, with landscaping and fencing also provided. The additional parking will be necessary to accommodate the parking needs of the parish, which is comprised primarily of parishioners over the age of 65. On-site parking would best meet the needs of this particular population because of safety issues and because it results in short walking distances. The terrace would be used for outside gatherings of the parishioners.

Page 32: Paragraph 6 on this page is hereby amended, as follows:

The proposed demolition and site improvements will be reviewed by the City of Oakland Planning Commission, ~~Cultural Heritage Commission~~, Landmarks Preservation Advisory Board, and Public Works Department.

Page 46: The following paragraph has been added after paragraph one on this page:

The Oakland Sharing the Vision Plan was accepted by a special meeting of the City Council on October 27, 1992. It is anticipated that this document will be used to update the City's Comprehensive Plan. Goal 6 of the Neighborhood Revitalization Task Force establishes objectives and action items to implement the City's historic preservation program, encourage historic preservation activities and increase funding for historic preservation. The goal is consistent with the City of Oakland Policy Plan's Preservation Policy 4, as described above.

Page 49: Impact A-1 on this page is hereby amended as follows:

Impact A-1: Removal of the Cathedral of the Oakland Diocese from downtown Oakland would result in a have significant physical change in the environment and effects on Oakland's community pride and future development.

Page 49: Mitigation measure A-1 on this page is hereby deleted because it was determined to be infeasible. The designation of a new cathedral is a major decision with long-term implications that cannot be addressed within the timeframe and context of this project.

~~Mitigation Measures A 1: The Catholic Church should designate a new Cathedral for the Oakland Diocese in downtown Oakland before demolition of the existing Cathedral commences.~~

Page 50: Paragraph 3 on this page is hereby amended, as follows:

~~... the Diocese is apparently has stated that it is unable to afford the necessary repairs. or find other interested parties to buy and repair the structure. The independent evaluation by the PAST team concluded that neither the Diocese nor the community at large were likely to be able to raise the required funding.¹~~

Pages 55 and 61: Mitigation measures B-1a and B-1b on these pages are hereby deleted because they are more properly analyzed as alternatives to the proposed project. They are analyzed in this EIR under Alternative F, Replacement With a Landmark Feature.

~~Mitigation Measure B 1a: The Cathedral should be replaced with a monument of similar character, which could include a bell tower, cross, or other artifacts and symbols of the Cathedral to provide a visual presence of the church in the community. The monument should be located as a terminal view of Martin Luther King Jr. Way from the City Center area, and be visible from I 980 as a prominent focal point for the neighborhood.~~

¹ Report on the Feasibility of Preserving the Roman Catholic Cathedral of St. Francis de Sales, PAST Team, pages 33-37, Appendix B, Chapter VIII of the Draft EIR.

~~Mitigation Measure B-1b: The City should condition the future construction of any building on the project on the provision of a tower at the corner of Martin Luther King Jr. Way and 21st Street. The tower should create a terminus for Martin Luther King Jr. Way.~~

Page 61: Mitigation measure B-1c on this page is hereby amended as follows:

~~Mitigation Measure B-1 -e: A document, such as a deed on the property, should be recorded with the City to stipulate that any replacement building on the site be subject to existing City design review to ensure that its massing and detailing creates a visual landmark on the project site.~~

Page 61: Impact B-2 on this page is hereby amended as follows:

~~Impact B-2: The proposed site plan would could be out of scale with the neighboring plaza and residences. The proposed fence design uses a larger scale of brick and iron and less articulation of the fence than the existing rectory fence.~~

Page 61: Mitigation measure B-2b is hereby deleted from this page, because it is infeasible due to safety concerns and because it will not serve the Church community.

~~Mitigation Measure B-2b: To make the most use of the open paved surfaces, the parking lot or terrace should be provided with recreational facilities, such as basketball hoops, for off hours use by members of the church and community.~~

Page 62: Impact B-3 on this page is hereby amended, as follows:

~~Impact B-3: Cathedral demolition and new site improvements would could adversely affect the adjacent Bishop Begin Plaza if demolition activity in the plaza destroys existing landscaping and new landscaping at the Cathedral site is incompatible with the plaza's landscape design. The plaza's landscaping has already suffered while access has been limited due to safety concerns.~~

Page 62: Paragraph 4 on this page is hereby amended as follows:

Demolition activity and new construction at the Cathedral site ~~could~~
~~would~~ have ... and demolition ~~could~~ ~~would~~ further impact the plaza
landscaping and furniture.

Page 75: Paragraph 3 on this page is hereby amended, as follows:

According to ~~parishioner~~ Mr. David Ramsey, ~~an expert in modern~~
~~religious art, . . .~~

Page 78: Paragraph 4 on this page is hereby amended, as follows:

In the early 1980's, St. Francis de Sales was considered for landmark
status but was not designated. ~~in deference to the desires of the Diocese~~
~~of Oakland.~~ Since that time, the LPAB has modified its rating system,
but a comparison of the previous evaluation with the findings of this
report and the new rating system indicates that the Cathedral is more
likely to ~~would still~~ be eligible for City Landmark designation under the
new rating system. The LPAB ~~could still consider a City Landmark~~
~~designation for the Cathedral, without regard to the Diocese' wishes on~~
~~the matter.~~

Pages 79 and 80: Mitigation measures C-1b, C-1c and C-1d are hereby deleted
because it has been determined that these measures would not be tied to a
physical change in the environment and that the impact would remain
significant after the mitigation measures. In addition, the measures would not
directly address the important historic values that would be lost by demolition.

~~Mitigation Measure C 1b: The applicant should establish a permanent~~
~~museum of the Catholic Church in Oakland on the project site or~~
~~elsewhere.~~

~~Mitigation Measure C 1c: In the tradition of this parish and many~~
~~Catholic churches, the applicant could commission a thorough history of~~
~~San Francis de Sales Cathedral.~~

~~Mitigation Measure C 1d: The archives of the Archdiocese of San~~
~~Francisco should be made available for research and documentation of~~
~~other East Bay churches as part of a thorough historic survey of~~
~~Catholic churches.~~

Mitigation Measure C-1e is now renumbered C-1b.

Page 87: Impact D-1 on this page is hereby amended, as follows:

Impact D-1: Nearby residences, offices, commercial businesses and public spaces ~~could~~ **would** be exposed to excessive noise due to short-term demolition and construction associated with structural disassembly, possible building collapse, demolition equipment operation, haul truck traffic, and construction of the proposed parking lot and terrace extension. Significant disturbance from on-site impact tools would occur for a distance of roughly 400 feet, at which point sound levels of 81 dBA might be experienced, assuming noise levels of 90 dBA at 50 feet and a rate of attenuation of about three (3) dB for every doubling of distance from a point source. Truck traffic would generate peak noise at levels between 55 and 80 dBA (with normal freeway traffic in the vicinity projected at 65 dBA) along the length of the selected hauling routes.

Page 89: Mitigation Measure D-1f on this page is hereby amended as follows:

Mitigation Measure D-1f: . . . appropriate rerouting should be implemented. In particular, 21st and 22nd Streets should be avoided as truck routes.

Page 91: Impact D-2 on this page is hereby amended, as follows:

Impact D-2: Demolition and construction activity would generate fugitive dust, presenting a nuisance to neighboring properties and contributing to the already excessive regional particulate PM_{10} levels.

Page 91: Mitigation Measure D-2c is hereby amended as follows:

Mitigation Measure D-2c: Site improvements should be made ~~as soon as possible~~ **immediately** following demolition and ground clearing to reduce the time period of potential wind erosion of exposed soil.

Page 95: Mitigation Measure D-5 on this page is hereby deleted because it duplicates Mitigation Measure D-1f.

~~**Mitigation Measure D-5:** The applicant should investigate the shortest or least disruptive truck traffic routing and inform all contractors of the~~

~~route. If complaints arise from neighbors, the applicant should attempt to reroute the traffic to lessen impacts. In particular, 21st and 22nd Streets should be avoided as truck routes.~~

Chapter IV
REVISIONS TO THE ALTERNATIVES CHAPTER
OF THE DRAFT EIR

■ ■ ■

This chapter includes revisions to the Alternatives Chapter of the Draft EIR (Chapter V). Because the majority of comments received on the DEIR were on the alternatives analysis contained in the Alternatives Chapter, the revised chapter is included in its entirety.

This chapter has been revised to include a discussion of the comparative costs of the alternatives and expanded discussion of restoration and retrofitting methods. The relative cost implications of each alternative are discussed under a section entitled "Cost Implications". Cost estimates from the applicant's studies and the PAST report are used when available. Where cost data is unavailable, relative comparisons are made among the alternatives.

In this chapter, shaded type represents new or revised text. ~~Strikeout~~ type indicates text that is deleted from the DEIR.

This Chapter does not consist of significant new information, however, because it is based on findings in reports that were included in an appendix in the Draft EIR. As a result, no recirculation of the Draft EIR is necessary. The chapter is reproduced here in its entirety for ease of reading only.

Revised Chapter V of the DEIR ALTERNATIVES TO THE PROJECT

■ ■ ■

The St. Francis de Sales Cathedral demolition project has been described and analyzed in the previous chapters with an emphasis on potentially significant impacts and recommended mitigation measures to reduce or avoid those impacts. The following discussion is intended to inform the public and decision makers of alternative project characteristics or uses of the site that could reduce or avoid the impact of the proposed project.

CEQA requires an evaluation of alternatives, whose selection is to be guided by the "rule of reason," meaning that alternatives must be feasible and generally achieve the project objectives. The analysis must evaluate the comparative merits of each alternative. Alternatives should also mitigate some or all of the project impacts, even if they would be more costly or would impede to some degree the attainment of project objectives. Any significant impacts of the alternatives in addition to those caused by the project must be identified, but may be discussed in less detail than those of the proposed project.

If there is a specific proposed project, the DEIR must explain why other alternatives were rejected in favor of the proposal if they were considered in developing the proposal. The Diocese considered both restoration and demolition/rebuilding alternatives in studies prepared by other consultants. The Diocese elected to demolish the Cathedral because its cost estimates for restoration and rebuilding indicated that it would be economically infeasible for them to do otherwise. The PAST report disagreed with the Diocese cost estimates, but agreed that adequate funding was unlikely to be raised by either the Diocese or the community at large.¹

CEQA also requires the selection of an environmentally superior alternative. If the No Project alternative is selected, another alternative must also be identified as the environmentally superior alternative.

¹ *Report on the Feasibility of Preserving the Roman Catholic Cathedral of San Francis de Sales*, PAST team, pages 33-37, Appendix B, Chapter VIII of the Draft EIR.

This chapter analyzes the following six alternatives:

- A. No Project
- B. Restoration of the Cathedral
- C. Demolition and Reconstruction of the Cathedral
- D. Retrofit for an Alternative Use
- E. Preservation of the Facade and Bell Tower
- F. Replacement with a Landmark Feature

Some of the alternatives have been derived from work completed by a Preservation Advisory Services Team (PAST), which was formed by the National Trust for Historic Places and Partners for Sacred Places, with funding from the National Trust for Historic Preservation, William and Flora Hewlett Foundation, and National Park Service. Members of the group included experts in architecture, structural engineering, cost estimating, fund raising, and historic preservation. The team was assembled to assess the feasibility of preserving the Cathedral through review of existing reports, interviews with church and community leaders, an intensive site visit, and consideration of alternative schemes for conducting the restoration, fund raising and site use. A copy of the PAST's full report is included in Appendix B of the Draft EIR.

An alternative location for implementing a project is often considered in an EIR, when feasible. However, the proposed demolition applies to an existing structure at a specific site. The proposed project analyzed in this EIR may, by definition, only occur at the current Cathedral site. Therefore, no alternative site is analyzed in this EIR.

This chapter contains a generalized analysis of the cost implications of each alternative, which is based on data submitted by the applicant and the PAST team.

There is a great range of cost estimates that have been submitted by the applicant and the PAST team. This disparity is associated, in part, to assumptions about what codes need to be complied with (1988 UBC or the CALBO-SEAOL), the minimal amount of work that could be done to make the building structurally safe for occupancy and use, and methods used for scoping the work from which the estimates are made. The discrepancies in these cost estimates are not resolved in this EIR because they reflect disagreement among experts. Section 15151 of the CEQA Guidelines states that an EIR should summarize the main points of disagreement among experts when they occur.

A. No Project Alternative

This alternative is intended to meet the CEQA-required consideration of No Project, which would leave the project site and existing Cathedral in their present state. The existing structure would remain unusable, unrepaired, but stabilized against general structural collapse hazards. The condition of the structure would probably deteriorate due to lack of maintenance and exposure to the elements. Future rehabilitation could be possible if the applicant or another agency is interested and financially capable, but the expense of such work could escalate due to continued deterioration in the condition of the Cathedral. Public safety in the area could also be a concern since the building would be braced but not strengthened in the interim period. Eventual demolition could be required if it proved infeasible to restore the building at a later date.

1. Land Use Compatibility and Policy Conformity

The main advantage of this alternative is the potential for future rehabilitation. The damaged Cathedral is not a preferred land use in its present state, since it cannot be used by the Diocese or general public, presents potential safety hazards, and requires surveillance to prevent vandalism. However, by retaining the structure rather than demolishing it, the perception of continued church activity in the area would be enhanced in comparison with demolition, and another approach to preservation could be sought. The No Project condition has existed since the October 17, 1989 Loma Prieta earthquake.

The No Project Alternative would not have a significant adverse or beneficial effect on the surrounding land uses. Changes in surrounding land uses, especially the Retail Center and other commercial development, are likely to continue whether the Cathedral remains or not. However, retention of the Cathedral in its current unstable state could influence land use decisions on some immediately adjacent parcels.

City policy regarding preservation of significant architectural and historic resources would be partially met in the No Project alternative. Future rehabilitation would be necessary to fully conform with the policy. Zoning requirements would not be affected by the No Project alternative. No demolition, design review or conditional use permits would be required. If rehabilitation of the Cathedral occurred at a later date, more stringent rehabilitation standards and requirements for either repair or demolition could apply to the project. The City is currently in the process of implementing and increasing the scope of its Unreinforced Masonry (URM) and earthquake recovery programs.

2. Visual and Design Factors

The No Project alternative would leave the structure of the Cathedral in place, which would alleviate the adverse visual effects of demolition and replacement with a parking lot and terrace. However, deterioration of the structure would present other visual impacts, such as apparent neglect and blight of a building with prominence for local neighbors and travelers on major roadways. This would be a significant adverse impact of the No Project alternative. If No Project is approved as the preferred alternative, measures to ensure maintenance for visual, as well as safety reasons should be required.

3. Historic Resources

Because of the potential for continued deterioration and eventual demolition, the No Project alternative would have historic resource impacts similar to the proposed demolition. Adequate documentation and preservation of key features of the structure and interior could be hindered by continued deterioration. This would be a significant impact of the No Project alternative. If No Project is approved as the preferred alternative, historic documentation and artifact preservation should be conducted as soon as possible in a manner similar to that recommended for the proposed project.

4. Short-Term Impacts

No noise, air quality or traffic impacts would result from the No Project alternative. This would be an improvement compared to the proposed demolition, but is not considered an important factor in alternative selection due to the possibility of fully mitigating short-term impacts of the project.

5. Cost Implications

Neither the PAST Report, or the applicant's studies presented cost estimates related to this alternative; therefore, a quantitative cost analysis can not be done. The No Project Alternative would not require any immediate expenditure of funds since the building is already braced; it could, however, require additional temporary bracing to further stabilize it until a decision is made as to whether it will be demolished or restored. This would require additional expenditure. Costs, however, would be substantially less than the other alternatives.

B. Restoration of the Cathedral

Under this alternative, the Cathedral structure, interior and furnishings would be preserved and rehabilitated for continued use as the Diocese Cathedral. The major hindrance to preservation at this time is the expense involved. The associated work and costs have been studied by the applicant, who has stated that restoration would be financially infeasible for the Diocese. An analysis of the engineering and economic factors involved in restoration is beyond the scope of this EIR, ~~only, so this report focuses on the relative environmental merits of restoration compared to the proposed demolition. are discussed below.~~ In addition, the various restoration approaches and cost estimates presented by the applicant and the PAST team are also reviewed.

1. Applicant's Restoration Analysis

Several types of restoration could be completed. The Cathedral could be restored to its pre-earthquake condition, with repair and restoration of interior elements such as stained glass windows, pews and the organ as needed. This would make the Cathedral conducive for regular use. This is the level of restoration that has been studied by the applicant for technical and economic feasibility.

Gillis Judson Wade, the architects for the Diocese, outlined the methods and costs associated with Cathedral restoration in a study dated March 22, 1990. A February 1990 study from Degenkolb Engineers to the Diocese details the work required for seismic upgrades. These letters are included in Appendix B of the DEIR and should be referred to for a full description of the applicant's restoration alternative.

2. PAST Report's Analysis

The Cathedral could be restored for structural integrity only, with minimal improvements to the interior. This level of preservation would not allow for a high level of improvement inside the church, but the building's role as a landmark and the potential for future improvements would remain, while the costs of restoration might be lowered.

Pages 29 through 31 of the PAST Report, contained in Appendix B of the DEIR, describe an alternative work scope for Cathedral restoration consistent with this approach. This draft scope, which details four phases of work, should be referred to for a full discussion of alternative approaches to restoration.

3. Additional Restoration Alternatives

The Cathedral could also be restored to its historic condition, with all of the tracery, furnishings and artifacts returned to pre-Vatican II condition. This would be the most ambitious undertaking, and would be primarily for historic preservation rather than structural or functional purposes. The ~~church~~ Diocese does not appear to have an interest in this level of restoration since it is operating under the mandates of Vatican II, which encourages liturgical simplicity.

Other alternative designs could be used to lessen costs of the seismic retrofits and repairs. These may include: (1) changes in size and shape of the church; (2) installation of visible reinforcing instead of hidden reinforcing of the masonry; (3) temporary removal of the top of the masonry portion of the tower pending future sources of funding for its restoration; and (4) alternative engineering procedures to those proposed by the Diocese engineers for code conforming work.²

4. Land Use Compatibility and Policy Conformity

Restoration would reinstate the previous land use of the site as a functioning Cathedral. This would be a beneficial impact. The Cathedral plays a symbolic and functional role in the community, which would be enhanced by restoration for regular use. The type of restoration conducted would depend on engineering, aesthetic, and cost factors, which could influence the success of the restoration effort. Site use would be similar to the activity level prior to the 1989 Loma Prieta earthquake, although use of the site was declining even prior to the earthquake.

The adverse impacts on the surrounding neighborhood from Cathedral demolition that are identified in this EIR would not occur under this alternative. Restoration of the Cathedral might have a beneficial impact on neighborhood pride, and business vitality and investment in the neighborhood and the downtown.

The City's policy for preservation of historic and architectural resources would be met by this alternative. No zoning or general plan inconsistencies would result.

² Randolph Langenbach, letter to the City Planning Department dated August 16, 1992.

5. Visual and Design Factors

Restoration of the Cathedral would mitigate the visual impacts of demolition. No new landscaping or paving would be needed except to replace any damage during the restoration process. This would be a beneficial aspect of the Restoration alternative.

6. Historic Resources

The Restoration alternative would provide the best mitigation for project impacts on historic resource impacts. From a preservation point of view, restoration to the Cathedral's pre-Vatican II condition would be most desirable, but any restoration approach would preserve the building's exterior as an historic structure.

7. Short-Term Impacts

Short-term impacts of restoration would be less than those of the proposed demolition, but could still be significant. Although no demolition would occur, significant truck traffic, noise and dust would be generated by construction activity. Construction would occur over an extended time period, which would vary based on the type of restoration undertaken. Mitigation would be the same as for the proposed demolition.

8. Cost Implications

The applicant's consultants estimated that it would cost \$2.8 million to restore the Cathedral to protect life and safety and preserve the building's integrity, while full restoration would cost \$5.3 million. They estimated demolition costs at \$160,000. The PAST Report states that restoration to protect life and safety and to preserve the building's integrity could cost about \$600,000. This is consistent with average costs for large church restorations in Los Angeles, which are shown in the PAST report to be \$500,000. However, the \$600,000 estimated by the PAST team is only for seismic upgrades, so costs for full restoration would be much more. PAST recommends a phased approach with other repairs spread out so the Cathedral could be reopened in the interim after safety issues have been addressed.

Generally speaking, it can be concluded that this alternative would be more expensive than the No Project, Preservation of the Facade and Bell Tower, and Replacement with a Landmark Feature Alternatives. It would probably have similar costs to the Retrofitting Alternatives. A comparison of this alternative with the Reconstruction Alternative is difficult, since the cost

estimates completed to date conflict, but Gillis Judson Wade's estimates suggest that restoration would cost twice as much as reconstruction. Exact costs cannot be determined since experts disagree on the costs and since no definitive restoration plans have been completed. The PAST report did not evaluate the cost of reconstruction, but the PAST report found no major fault with Gillis Judson Wade's estimate.

C. Demolition and Reconstruction of the Cathedral

Under this alternative, the applicant would proceed with the proposed demolition, but replace the Cathedral with a new building on the current site. Alternatively, the portion of the site now occupied by the Cathedral could be sold to another denomination for church construction. The replacement structure would use current building technologies and architectural forms, and would probably result in a smaller building than the current Cathedral due to site planning, parking and zoning constraints. No plans for replacement of the Cathedral either on-site or at another site have been prepared.

1. Land Use Compatibility and Policy Conformity

As with restoration of the existing Cathedral, demolition and replacement of the Cathedral would provide for continued church use of the site for large gatherings. The land use pattern of the area would be unchanged. The replacement structure would be subject to design review, and new parking requirements could be implemented that would restrict the size of the structure. This alternative would not be consistent with City policy to preserve historic buildings.

2. Visual and Design Factors

The major visual impacts associated with building demolition would be similar to those of the proposed project, except that the visual terminus and landmark functions of the Cathedral could be replaced with a new structure. The new structure could be designed or located on the site in such a way that it would have the same quality of visual prominence as the existing Cathedral, with visibility from Interstate 980 and at the termination of the Martin Luther King Jr. Way corridor. Under this alternative, site planning would have to be given careful consideration to ensure compatibility with surrounding development, the downtown skyline, and views from major streets and highways.

3. Historic Resources

The Demolition and Replacement alternative would have the same impacts on the historic resource value of the site as the proposed demolition. The replacement would not have the same history or character as the Cathedral, but it could house certain artifacts of the Cathedral, such as stained glass windows, pews and the organ. Documentation similar to that recommended for the proposed project should be undertaken if this alternative is pursued.

4. Short-Term Impacts

This alternative would have marginally higher short-term impacts than the proposed demolition. Noise, dust and traffic would be generated at levels similar to the proposed project during the demolition phase, and additional impacts would result from the construction phase for the replacement Cathedral. Such impacts would likely be less than significant after mitigation, but could require subsequent environmental impact review since no plans are available at this time.

5. Cost Implications

Gillis Judson Wade Architects estimated in their March 1990 study for the Diocese on Cathedral repairs that demolishing the Cathedral would cost \$160,000 and building a replacement church would cost \$2,000,000 to \$2,500,000. The PAST Report did not present cost estimates for this alternative.

This alternative would be more costly than the No Project, Preservation of the Facade and Bell Tower, and Replacement with a Landmark Feature Alternatives. A comparison of this alternative with the Restoration and Retrofit Alternatives is difficult, since the cost estimates completed to date conflict, but Gillis Judson Wade's estimates suggest that reconstruction would cost half as much as restoration, which is likely to have similar costs to retrofitting. The PAST report did not evaluate the cost of reconstruction, but the PAST report found no major fault with Gillis Judson Wade's estimate.

D. Retrofit for an Alternative Use

Under this alternative, the Cathedral would ~~rehabilitated for structural integrity, public safety and general appearance, and then~~ be leased or sold by the applicant to another entity for an alternative use, such as another church or a performing arts space. In the past, the Diocese has expressed a willingness to consider selling the property to another church denomination or

other interested group, but now indicates that sale would only be considered after demolition.³ This retrofit alternative could provide the necessary funding to restore the building's exterior and most of the interior to its pre-earthquake condition and make the building accessible to a large number of persons who might not otherwise visit it. ~~However, the Diocese has been unable to locate a potential buyer or lessor for the building.~~ This alternative would require rehabilitation of the structure for public safety and general appearance, which could be carried out by either the Diocese or the new user.

Pages 39 through 41 of the PAST report describe potential alternative or shared uses for the site and the relative merits of each. The study concludes that although there are alternative uses for the site, there are limited adaptive reuse options for the Cathedral building itself due to the liturgical character of the building. Potential reuse options include use by another congregation, a combination sanctuary/community use, a performing arts center, live-work studios, a community center, or commercial uses. Live-work studios are popular in the Oakland/Berkeley area and may be viable in the Cathedral location. Boston is known for high quality adaptive reuse projects converting churches to housing, therefore, the housing alternative may be viable for this project. A performing arts center may not be viable because of other similar facilities in the downtown area.

According to the PAST report pages 36 through 37, retrofit alternatives may be limited by available funding. Few government funding sources are available for repair and improvements because the site is outside Oakland's Downtown Redevelopment Area. It appears from preliminary interviews conducted by the PAST Report team, that many non-profits in the area are already engaged in their own major funding campaigns. However, some money could be available from the City if a housing project is constructed at the site. Additionally, a small pool of money may be available from local banks if the Cathedral were repaired and reused for a major community use.

1. Land Use Compatibility and Policy Conformity

In general, the site is suitable for use as a performing arts space or other community-based activity. Although alternative use of the building could occasionally conflict with neighboring residential development, the site's urban setting, the area's current mix of land uses, and proximity to the downtown

³ Clement Finney, Oakland Diocese, personal communication, July 10, 1991. Subsequently the Roman Catholic Bishop of Oakland, in his letter to the Oakland City Planning Commission of August 17, 1992, has recently clarified that the Diocese would be willing to sell the property only after building demolition and only as an entire site.

core make the site suitable for daytime and night use if in accordance with City regulations. More stringent use permit, parking provision, fire safety and other planning and building requirements could be placed on the alternative use than are currently required for church use.

2. Visual and Design Factors

With an alternative use, the Cathedral structure would remain in place and be rehabilitated for safety and appearance. This would avoid the significant visual impacts of the proposed demolition. However, careful design review consideration would be required to avoid potential conflicts of the alternative use's character with the image of the structure as a church. Signs, lighting, and other changes to the site could produce a commercial appearance which would partially reduce the building's value as a visual landmark of church presence in the community.

3. Historic Resources

The building's preservation and reuse could result in general historic preservation, but interior retrofit and removal or damage to the structure's artifacts, such as stained glass, pews and organ pipes, could reduce the overall value of the preservation. In particular, removal of church symbols or damage to underlying tracery could preclude future restoration and re-use as a historically accurate Cathedral. Preservation of valuable resources should be conducted prior to allowing an alternative use.

4. Short-Term Impacts

Restoration for an alternative use would have similar impacts on noise, air quality and traffic as the Restoration of the Cathedral Alternative.

5. Cost Implications

Neither the PAST Report or the applicant's studies presented cost estimates related to this alternative; therefore, a quantitative cost analysis can not be completed. However, the order of magnitude costs for retrofit are likely to be similar to those of the Restoration Alternative, which means they might range from \$600,000 to \$5.3 million, depending on whether the PAST's or the applicant's cost estimates are correct. However, the \$600,000 estimated by the PAST team is only for seismic upgrades. So costs for full restoration would be much more. PAST recommends a phased approach with other repairs spread out so the Cathedral could be reopened in the interim after safety issues have been addressed.

Generally speaking, it can be concluded that this alternative would be more expensive than the No Project, Preservation of the Facade and Bell Tower, and Replacement with a Landmark Feature Alternatives. A comparison of this alternative with the Reconstruction Alternative is difficult, since the cost estimates completed to date conflict, but Gillis Judson Wade's estimates suggest that restoration would cost twice as much as reconstruction, and a retrofit might have similar costs. The PAST report did not evaluate the cost of reconstruction, but the PAST report found no major fault with Gillis Judson Wade's estimate.

E. Preservation of the Facade and Bell Tower

If demolition is considered the preferred alternative, a portion of the existing structure could be preserved to represent the original character of the site to some viewers. Preservation could include the facade facing Martin Luther King Jr. Way and the bell tower. The proposed parking lot and terrace could be located behind this facade, or another building could be constructed behind the facade on the former Cathedral footprint.

~~This alternative would probably be less costly than overall restoration of the Cathedral. However, it would have to include preservation of the tower to be visually effective, and such preservation would be quite expensive by itself.~~

1. Land Use Compatibility and Policy Conformity

Preservation of the facade and bell tower would not allow actual use of the Cathedral to continue, so use of the site would be similar to that under the proposed project. Partial retention of the structure would be partially consistent with the City's policy to retain historic buildings.

2. Visual and Design Factors

Preservation of the facade and bell tower would partially mitigate the visual impacts of demolition. The tower would continue to serve as a termination for the Martin Luther King Jr. Way visual corridor, and the large facade would be visible from I-980.

However, the image of the facade would not be complete, and it would appear as a freestanding wall. Likewise, the bell tower could appear as an incongruous structure if it were not associated with a complete building. The overall image of the Cathedral, including its bulk, height, steep roof, window patterns, and detailing would be lost. A replacement building behind the

facade would also have a discontinuous appearance, and would not effectively mitigate impacts of demolition.

3. Historic Resources

Little historic value would be associated with freestanding parts of the building, so that impacts of this alternative would be similar to those of the proposed demolition. While preservation of the bell tower may appear preferable to complete destruction, the architectural composition and detailing, association with the historic development of Oakland and prominent persons of history, and the overall historic context would not be adequately preserved by this alternative. Documentation similar to that recommended for the proposed project should be required if this alternative is selected.

4. Short-Term Impacts

Demolition of the bulk of the building and reinforcement of the remaining facade and bell tower would have impacts similar to those of the proposed demolition project.

5. Cost Implications

Neither the PAST Report nor the applicant's studies presented cost estimates related to this alternative; therefore, a quantitative cost analysis can not be done. This alternative would probably be less costly than full Cathedral restoration, rebuilding or retrofitting; however, it would have to include preservation of the tower to be visually effective, and such preservation would be quite expensive by itself. This alternative is likely to be more costly than the No Project and Replacement with a Landmark Feature Alternatives.

F. Replacement with a Landmark Feature

Under this alternative, the Cathedral would be demolished, as proposed, and a monument would be constructed on the site as a visual reminder of the former building. The landmark could include a new bell tower, a sculpture, or a landscape feature such as prominent trees and lighting. Parking and terrace use similar to that proposed could occupy the remainder of the site.

1. Land Use Compatibility and Policy Conformity

This alternative assumes that the Cathedral would be demolished, which would result in impacts similar to the proposed project. A landmark feature would

not have a significant effect on area land use and would generally be allowed by City policy. The landmark feature would not fully compensate for loss of the Cathedral, but could provide a focal point and reminder of the site's prior use.

2. Visual and Design Factors

The specific design of the replacement landmark feature would determine specific impacts on local and highway views. A new bell tower could be located as a visual terminus along Martin Luther King Jr. Way and could be visible from other major roadways in the area. If the Cathedral's bell were placed in the tower, the sight and sound could be reminiscent of the former Cathedral. Smaller design features, such as a sculpture, could be a valuable visual reminder for persons attending the church, but would probably not be recognizable from farther away.

3. Historic Resources

A new tower or other feature would not mitigate the loss of the Cathedral, so that impacts of this alternative would be similar to those of the proposed demolition. Documentation similar to that recommended for the proposed project should be undertaken if this alternative is chosen. An interpretive sign could be incorporated into the monument to assist in marking the history and loss of the Cathedral.

4. Short-Term Impacts

Noise, air quality and traffic impacts would be similar to the proposed demolition project.

5. Cost Implications

Neither the PAST Report nor the applicant's studies presented cost estimates related to this alternative; therefore, a quantitative cost analysis can not be completed. This alternative would probably cost much less than restoration, rebuilding or retrofitting of the Cathedral. It is also likely to cost somewhat less than the Preservation of the Facade and Bell Tower Alternative, since it would not require extensive shoring of an existing earthquake-damaged structure. However, it would entail considerable expense and direct church funds away from other priorities, such as social programs, for a structure that would provide aesthetic values to the community but would not otherwise serve the parish or neighborhood.

G. Environmentally Superior Alternative

CEQA requires the identification of the environmentally superior alternative to the proposed project. This analysis shows that Alternative B, Restoration of the Cathedral, would be environmentally superior to all others assessed, including the proposed project. Alternative D, to Retrofit for Alternative Uses, would be second-most desirable, and Alternatives C, Demolition and Reconstruction of the Cathedral, and F, Replacement with a Landmark Feature, would also be preferred over the proposed project.

Alternative A, the No Project Alternative, would not solve the problems of building instability and future use of the site, so it would not be desirable. Alternative E, preservation of the facade and bell tower, would be slightly ~~more no more~~ desirable than the proposed project, ~~although since~~ it would still lead to significant impacts on both visual and historic resources.

Chapter V
LIST OF PERSONS AND AGENCIES COMMENTING

■ ■ ■

A. Written Comments

Applicant

1. Attorney-in-Fact for the Diocese of Oakland, August 17, 1992

City Agencies

2. Oakland Office of Parks and Recreation
 - 2a. Cleve Williams, August 12, 1992
 - 2b. Antonio Acosta, August 6, 1992
 - 2c. Gordon Vinther, July 23, 1992
 - 2d. Cleve Williams, April 10, 1992
3. Les Hausrath, Oakland Landmarks Preservation Advisory Board, August 13, 1992

Organizations

4. Lisabeth Henning, National Trust for Historic Preservation, July 20, 1992
5. Peter Ekstein, Historic Preservation Committee, AIA East Bay, August 14, 1992
6. Susan McCue, Preservation Action Committee, Oakland Heritage Alliance, August 17, 1992

Private Individuals

7. Hugh Galen Reid, Oakland, July 22, 1992
8. Paul Perati, Oakland, August 6, 1992
9. Constance Center, Oakland, August 9, 1992
10. Margaret M. O'Dowd, San Francisco, August 12, 1992
11. Randolph Langenbach, Oakland, August 16, 1992
12. Frederick C. Hertz, Oakland, August 17, 1992

**B. Oral Comments Received at the
July 23, 1992 Public Hearing**

13. Ed Wilkinson
 14. Randolph Langenbach
 15. Peter Smith, Planning Commissioner
 16. Randolph Langenbach (continued)
 17. Anthony Pegram, Planning Commissioner
 18. Randolph Langenbach (continued)
 19. Annalee Allen, Oakland Landmarks Preservation Advisory Board
 20. Susan McCue, Oakland Heritage Alliance
 21. Ted Milhous, Gillis Judson Wade
 22. Hugh Reed
 23. Reverend George Crespín
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Chapter VI

COMMENTS AND RESPONSES

■ ■ ■

A. Format

This chapter includes a reproduction of each letter received during the public review and comment period, a summary of comments received at the Planning Commission's public hearing on the Draft EIR held August 25, 1992, and responses to each written and oral comment. Comments were received from the general public, City departments, interested organizations and the applicant. Each comment and response is labeled with a reference number in the right hand margin.

Where the same comment has been made more than once, a response may direct the reader to a previous response. Where a response requires revisions to the Draft EIR, changes have been made to the text and are shown in Chapters II and III and IV of this Final EIR. Chapter III contains revisions to chapters of the Draft EIR, with the exception of the revised Alternative Analysis chapter, which is contained in Chapter IV.

B. Written Comments

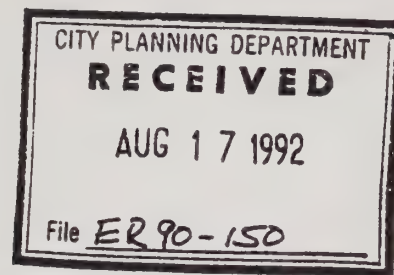
The following letters were received directly by the City of Oakland in response to the Draft EIR. Each letter is reproduced in its entirety, and is immediately followed by responses to the comments in it. Letters are arranged in order of the type of entity writing them, with the applicant first, City agencies second, organizations third, and private individuals last. Within each category, letters are arranged according to the date written.

DIOCESE OF OAKLAND

2900 LAKESHORE AVENUE • OAKLAND, CALIFORNIA 94610-3697
510 / 893-4711 • FAX: 510 / 893-0945



August 17, 1992



Oakland City Planning Commission
Oakland City Planning Department
1330 Broadway, Suite 310
Oakland, CA 94612

Attn: Charles S. Bryant
Environmental Review Coordinator

RE: Draft Environmental Impact Report for
St. Francis de Sales Demolition
File No. ER 90-150
Ref. No. D 90-445

We have reviewed and analyzed the Draft Environmental Impact Report for St. Francis de Sales Demolition prepared by Brady and Associates for the City of Oakland, June 1992. We have the following comments:

Table 1

SUMMARY OF IMPACTS AND MITIGATION MEASURES (pages 9 thru 14)

LAND USE - Recommended Mitigation Measures

A-1: The Catholic Church should designate a new Cathedral for the Oakland Diocese in downtown Oakland before demolition of the existing Cathedral commences.

COMMENT: This is not a proper condition to impose on the obtaining of a demolition permit. The present building is not functional and would pose a serious threat to public safety in the event of another significant earthquake. Designating a new Cathedral is a major decision with long term implications. Bishop Cummins has publicly stated that it is the intent of the diocese to maintain the Cathedral in downtown Oakland. Nothing more should be required at this time.

Oakland City Planning Department
 August 17, 1992
 Page two

VISUAL AND DESIGN FACTORS - Recommended Mitigation Measures

- | | |
|--|-------------------|
| <p>B-1a: The Cathedral should be replaced with a monument of similar character, which could include a bell tower,...</p> <p>and</p> <p>B-1b: The city should condition the future construction of any building on the project site on the provision of a tower at the corner of...</p> <p>COMMENT: These conditions are premature and ill advised. These are design review issues and should be addressed in mitigation measure B-1c. (Note: Corrections to B-1a and B-1b should also be made on pages 55 and 61).</p> | <p>1-2</p> |
| <p>B-2a: The proposed parking lot should be redesigned to reduce the amount of paving...</p> <p>COMMENT: Again, the design review process is the proper place to address this item.</p> | <p>1-3</p> |
| <p>B-2b: To make the most use of the open paved surfaces, the parking lot or terrace should be provided with recreational facilities, such as basketball hoops, for off-hours...</p> <p>COMMENT: There is no intention to provide exterior athletic facilities at this exact site as they would be incompatible with present uses.</p> | <p>1-4</p> |
| <p>B-2c: The existing fence around the Community Center should be replaced and the new fence proposed...</p> <p>COMMENT: Again, this is a design review issue which most certainly will be addressed with considerable input by the Oakland Police Department regarding security and surveillance considerations.</p> | <p>1-5</p> |

Oakland City Planning Department
 August 17, 1992
 Page three

B-3a: The applicant should provide for the restoration of Bishop Begin Plaza at the close of demolition.

1-6

COMMENT: The plaza has not been damaged through any action or lack of same by the diocese. Furthermore, if during the demolition process the contractor should cause damage he will, by contract, he will make any necessary repairs.

Any current neglect of the plaza is not the responsibility of the diocese.

HISTORIC RESOURCES - Recommended Mitigation Measures

C-1a: The applicant should complete a Historic American Building Survey (HABS) Level I or Level II documentation of the Cathedral prior to its demolition.

1-7

COMMENT: The Cathedral is not a registered landmark and not subject to the National Park Service, nor the State Historic Preservation Office. Levels I and II are the highest degree of documentation and meant for registered landmark submittals to the Library of Congress.

The Diocese is prepared to have Mesa Technical perform a HABS - like large format, archival photography similar to what they are doing at Sacred Heart Church.

C-1b: The applicant should establish a permanent museum of the Catholic Church in Oakland on the project site or elsewhere.

1-8

and

C-1c: In the tradition of this parish and many Catholic Churches, the applicant should commission a thorough history of St. Francis de Sales Cathedral.

and

Oakland City Planning Department
 August 17, 1992
 Page four

C-1d: The archives of the Archdiocese of San Francisco should be made available for research and documentation of other East Bay Churches as part of a thorough history survey of Catholic Churches.

1-8

COMMENT: We cannot understand how a request to demolish a building, severely damaged in a natural disaster, could lead to requiring the establishment of a museum of the history of the Catholic Church in the entire East Bay. Such a requirement seems like an attempt to further punish the victim of the disaster.

D. Retrofit for an Alternative Use
 (page 103)

COMMENT: The Diocese has repeatedly stated that alternative uses of the Cathedral building are not acceptable. It makes no sense to require the diocese to retrofit the Cathedral and then try to lease or sell it to another entity. If we had the funds and it could be safely done, we would retain it for continued use as the Cathedral.

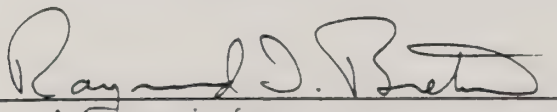
1-9

The Diocese has expressed a willingness to consider selling the property to another church denomination or other interested groups **only** after demolition and subject to the purchase of the entire site; demo church site, rectory, community center, and parking lots.

1-10

THE ROMAN CATHOLIC BISHOP OF OAKLAND
 a corporation sole

By:


 Attorney-in-fact

jsm

LETTER 1: DIOCESE OF OAKLAND

Response 1-1: Mitigation Measure A-1 on page 49 of the Draft EIR has been revised in response to this comment, which indicates that this mitigation measure is not feasible because the designation of a new cathedral is a major decision with long term implications. The City is also aware of the requirements of the separation of church and state.

Response 1-2: As shown in Chapter III of this FEIR, mitigation measures B-1a and B-1b on pages 55 and 61 of the DEIR have been deleted. These measures are more properly alternatives to the project, and are discussed in detail under Alternative F., Replacement with a Landmark Feature. Mitigation Measure B-1c (which has been renumbered to B-1a in this FEIR) addresses design issues and presents a possible way to reduce impacts, but it would not lessen impacts to levels below significance. A statement of overriding considerations will be required if the City determines that the benefits of this significant unavoidable impact would outweigh its adverse impacts.

Response 1-3: This EIR has been undertaken in order to provide a basis for each of the City's required approvals, including design review.

Response 1-4: Mitigation measure B-2b has been deleted from the Draft EIR in response to the commentor's concerns that athletic facilities would not be compatible with present uses, and because church users are not likely to use the facilities.

Response 1-5: See Response 1-3.

Response 1-6: The City of Oakland Office of Parks and Recreation Department asked for the restoration of Bishop Begin Plaza as a mitigation for the project because the Plaza landscaping and furniture has deteriorated during the time that the Cathedral has been closed. The City Department of Public Works closed the Plaza after the earthquake because of the potential safety risks associated with materials from the Cathedral potentially falling on Plaza users. See Comments Letter 2.

Response 1-7: The historic resource studies recommended by the DEIR are appropriate for a building eligible for landmark status. They are not contingent upon registration with a federal, State or local agency.

Response 1-8: Mitigation measures C-1b, C-1c and C-1d, which were recommended to improve the project, have been deleted in this Final EIR because they would not reduce the unavoidable significant impacts associated with the loss of the Cathedral and because these measures would not directly address the historic values that would be lost through demolition. Measures C-1a and C-1e (which is renumbered as C-1b in this Final EIR) have been retained as potential mitigation measures, but they would not reduce the identified impact to less-than-significant levels. If the project is approved, the City will be required to adopt a statement of overriding consideration indicating that the benefits of the project outweigh its adverse effects.

Response 1-9: The language describing this alternative has been changed in this Final EIR to clarify that the Retrofit Alternative does not presume that the Diocese would retrofit the Cathedral before selling it. Under this alternative, the Diocese could sell the Cathedral at fair market value to an entity that would retrofit it for an alternative use at its own expense.

Response 1-10: Paragraph 2, page 103 of the DEIR has been revised, as shown in Chapter IV of this FEIR, to reflect that the Diocese has expressed a willingness to consider selling the property after demolition and subject to the purchase of the entire site.

CITY OF OAKLAND
Interoffice Letter

To: City Planning Department

Attention: Robin Kreger

Date: August 12, 1992

From: Office of Parks and Recreation (OPR)

Subject: St. Francis de Sales Cathedral Draft EIR

The OPR appreciates having the opportunity to review and comment upon the Draft Environmental Impact Report for the proposed demolition of the St. Francis de Sales Cathedral located on San Pablo Avenue. 2a-1

Attached are comments from the various divisions within OPR. As well, OPR requests that final landscaping plans as proposed by the project be reviewed and approved by OPR, as they represent quasi-public spaces located adjacent to a City park facility.

Please contact Kerry Ricketts at 238-2219 if you have any questions.


CLEVE WILLIAMS
Assistant Director

Attachments

cc: H. K. White
Alvin James
Tony Acosta
Gordon Vinther
Kerry Ricketts

2b

CITY OF OAKLAND
Interoffice Letter

OPR Projects &
Planning Unit

To: _____ Attention: Kerry Ricketts Date: August 6, 1992

From: Park Services Division (PSD)

Review & Comment

Subject: St. Francis de Sales Cathedral Demolition DEIR

Thank you very much for the opportunity to review and comment upon the Draft Environmental Impact Report (DEIR) for the proposed demolition of the St. Francis de Sales Cathedral located on San Pablo Avenue. After a careful review of the DEIR, I am pleased to note that the previous OPR recommendations have been incorporated into the DEIR. 2b-1

The DEIR adequately addresses potential demolition-related impacts on the adjacent City park, Bishop Begin Plaza, and also addresses the need to restore Plaza landscaping which has suffered during the intervening period the Cathedral has been closed. These issues are covered by recommended mitigation measure B-3a (Page 10), which requires that the Diocese restore Begin Plaza after demolition; OPR should insist that this mitigation measure be implemented.

The DEIR also addresses the OPR recommendation that the landscaping plans proposed by the project be subject to review and approval by OPR, as they represent quasi-public spaces located adjacent to a City park facility. This issue is covered by recommended mitigation measure B-3b (Page 10); OPR should insist that this mitigation measure be implemented. 2b-2

If there are any questions, please see me.



Antonio E. Acosta
Park Services Manager

cc: OPR Cabinet
PSD Cabinet

AEA\92-3\FDESAL2.EIR

CITY OF OAKLAND
Interoffice Letter

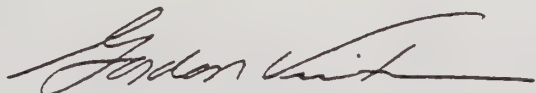
2c

To: Kerry Ricketts Attention: _____ Date: July 23, 1992

From: Gordon Vinther

Subject: EIR - St. Francis De Sales

The St. Francis De Sales site contains two existing parking lots to support the rectory, parish center and cathedral. If the cathedral is removed, there would be less need for additional parking to support the remaining rectory and parish center. In this context, the better alternative would be to expand the existing plaza and landscaping into the cathedral foot print thereby creating a linear park on 21st Street. 2c-1



GORDON VINTHER
Recreation Services Manager

GV:mp

cc: Cleve Williams

CITY OF OAKLAND
Interoffice Letter

2d

City Planning
Department

Attention: Robin Kreger

Date: April 30, 1992

From: Office of Parks and Recreation (OPR)

Subject: St. Francis de Sales Cathedral Demolition ADDEIR

The OPR appreciates having the opportunity to review and comment upon the Administrative Draft of the Draft Environmental Impact Report (ADDEIR) for the proposed demolition of the St. Francis de Sales Cathedral located on San Pablo Avenue.

The ADDEIR does not address potential demolition-related impacts on the adjacent City park, Bishop Begin Plaza. And, the ADDEIR does not address the need to restore Plaza landscaping which has suffered during the intervening period the Cathedral has been closed. Therefore, appropriate measures should be taken during demolition to protect and preserve vegetation located in Begin Plaza; in addition, the Diocese should be asked to contribute \$10,000 toward the renovation of the Plaza by OPR.

2d-1

As a final note, the landscaping plans proposed by the project should be subject to review and approval by OPR, as they represent quasi-public spaces located adjacent to a City park facility.

Attached is the ADDEIR, being returned at your request. Please contact Melanie Fong at extension 3092 if you have any questions.



CLEVE WILLIAMS
Assistant Director

Attachment

MF:td

cc: H.K. White
Alvin James
Charles Bryant
Tony Acosta
Gordon Vinther
Melanie Fong

TDAB:\MISC\FDESALES.MF

LETTER 2: OAKLAND OFFICE OF PARKS AND RECREATION

LETTER 2a: CLEVE WILLIAMS

Response 2a-1: Please see Mitigation Measure B-3b, which addresses the commentor's concern that landscaping plans be reviewed by the Office of Parks and Recreation.

LETTER 2b: ANTONIO ACOSTA

Response 2b-1: Comment noted. No changes to the EIR are necessary.

Response 2b-2: Comment noted. No changes to the EIR are necessary.

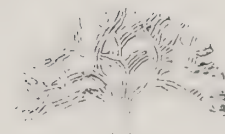
LETTER 2c: GORDON VINTIER

Response 2c-1: The commentor's alternative was not evaluated because it does not address significant visual/historic issues, and the Diocese needs the additional parking to serve its parishioners, who are predominantly over age 65. Creating a linear park on 21st Street would not serve the needs of the parishioners. Expansion of the terrace as proposed by the applicant would provide parishioners with an outdoor meeting space. The expanded park alternative would be contrary to the applicant's objectives.

LETTER 2d: CLEVE WILLIAMS

Response 2d-1: This letter includes comments on the Administrative Draft EIR. All of the Commentor's concerns were responded to in the Draft EIR (Public Review Draft) and are addressed in Mitigation Measures B-3a and B-3b.

CITY OF OAKLAND

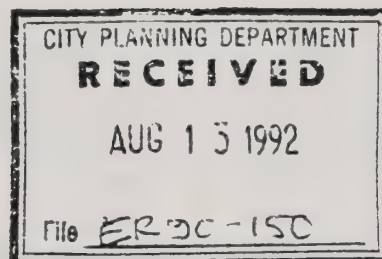


CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Landmarks Preservation
Advisory Board

August 13, 1992

TTY 839-6451



Oakland City Planning Commission
 Attn: Charles S. Bryant, Environmental Review Coordinator
 Oakland City Planning Department
 1330 Broadway, Suite 310
 Oakland, CA 94612

RE: ER90-150

Dear Members of the Planning Commission:

The Landmarks Preservation Advisory Board has reviewed the Draft Environmental Impact Report for the St. Francis de Sales Cathedral Demolition and offers the following comments on the document:

General Comments

1. The Draft EIR appears to accept the applicant's assumption that3-1 restoration of the cathedral is economically infeasible. There is no discussion in the report itself on the critical issue of economic feasibility of restoration vs. demolition, which will clearly be the crux of the debate over whether the cathedral should be demolished, particularly in view of the other information contained in the report which identifies the historical and architectural significance of the building.
2. A related point is that it seems clear from reading the materials in the3-2 Appendix to the Draft EIR that the applicant is convinced that the cathedral must be demolished, and that this conclusion is guiding or directing the actions of the applicant (the Diocese). The Board submits that the report should clarify both the existence of this sentiment on the part of the applicants, and at the same time state more clearly that alternatives to demolition do exist which have been rejected by the applicant.
3. There is, in the Board's opinion, insufficient mention in the report of3-3 the methods, costs and feasibility of restoration plans. In view of the historical and architectural significance of the building (documented by the report) and the fact that its demolition will have many substantial negative impacts, it is obvious that the decision-makers will have to focus on whether or not it is economically feasible to maintain and/or restore the structure.

Without information in the report itself (separate from attachments in3-3 the Appendix, which may or may not be read and which are not analyzed) on the methods, cost and feasibility of various alternatives, on what basis could the decision-makers make the decision to allow demolition? The purpose of the EIR is not only to document the significance (or lack thereof) of the building, but also to provide the decision-makers with sufficient information to determine if any of the alternatives to the project (i.e. demolition) are in fact feasible, economically or otherwise. If the City was inclined to prevent demolition, there is little in the report which sufficiently analyses the various alternatives or would justify requiring the Diocese to pursue one of these alternatives.

Specific Comments

4. The Board does not agree that the option to save the front facade and3-4 Bell Tower is of little value. In the future a new cathedral could be built which incorporates these elements.
 5. In the section on downtown commercial development the consultants should3-5 study the Halprin *Downtown Vision* materials and include a paragraph or discussion on these findings in relation to St. Francis de Sales. (p. 42).
 6. Are the consultants aware of the creative funding strategy for seismic3-6 upgrading of the First Unitarian Church, Oakland? Members of the Unitarian Church were able to qualify their building for State funds by establishing a separate social services agency housed within the church building. In that the Diocese has expressed a commitment to maintaining its ministries, the particulars of the Unitarian Church solution, as well as the resourceful approach, could have applicability here. (p. 42).
 7. The EIR should also refer to Oakland - Sharing the Vision, and3-7 specifically Goal 6 of the Neighborhood Revitalization Task Force. (p. 43).
 8. The EIR should clarify the change in the rating system with respect to3-8 City of Oakland landmarks (page 78, item e). This change means that the building is even more likely to be eligible; the Draft EIR gives the opposite impression.
- It should also be stated that owner objection does not necessarily preclude the Board from recommending landmark status.
9. We submit that the word "deference" in this paragraph is questionable.3-9

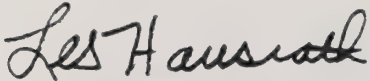
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3-10

10. The report should make clear that if the cathedral is to be demolished, then the various mitigation measures outlined in the report would have to be adopted in order to counter the significant impact of destruction of the cathedral. In other words, allowing demolition, but not requiring the substantial mitigations (including, perhaps, replacement with a significant structure), would not adequately mitigate the negative impacts.

Thank you for the opportunity to comment.

Sincerely,



LES HAUSRATH, Chair
Landmarks Preservation Advisory Board

F-LM263 3EIRCMTS.HKP

**LETTER 3: LES HAUSRATH, OAKLAND LANDMARKS PRESERVATION
ADVISORY BOARD**

Response 3-1: Economic factors are important in determining whether changes in a project are feasible to reduce or avoid significant impacts. CEQA does not require that they be contained in the EIR, only that they be added to the record. Typically, these factors are discussed in the staff report for the decision on project permits or other approvals. However, in this case the Appendices to the Draft EIR contained significant information on the economic factors relevant to this project. To further elucidate this issue, this Final EIR reproduces the complete Alternatives Analysis chapter with revisions incorporating relevant information from the appended economic analyses.

This EIR does not simply accept the applicant's assumptions regarding project cost. It compares the cost estimates supplied by both the applicant and the PAST report sponsored by the National Trust for Historic Preservation. The cost estimates supplied by these entities differ, and CEQA mandates that differences among experts should be shown in an EIR. The Diocese and PAST do agree, however, that fundraising for cathedral restoration would be very difficult.

Response 3-2: Pages 31 and 99 of the DEIR have been revised in Chapter IV to show that the restoration and retrofit alternatives were considered but rejected by the Diocese for economic reasons. This EIR clearly outlines and evaluates alternatives to demolition of the Cathedral.

Response 3-3: Please see Response 3-1 for a discussion of the cost implications and feasibility of the alternatives. Methods proposed for restoration and retrofitting are discussed in Appendix B of the DEIR and summarized in the revised Alternatives Chapter in Chapter IV of this FEIR. Decision-makers base their decision on the totality of the record. The Appendix to the DEIR is included in the record.

Response 3-4: Page 106 of the DEIR has been revised in the new Alternatives Chapter contained in Chapter IV of this FEIR. The text now shows that there is some value to Alternative E. Preservation of the Facade and Bell tower.

Response 3-5: The *Downtown Vision* document has been considered in preparation of this FEIR. The *Downtown Vision* document, prepared in November 1990, was developed through a workshop process to provide a framework for future development as seen by community members and leaders.

The information within the document, although important as an indication of the community's wishes for development and preservation of resources within the downtown area, does not add any specific guidance to the EIR analysis because of its general nature.

Response 3-6: The First Unitarian Church of Oakland (FUCO), located at 14th and Castro Streets approximately eight blocks from the Cathedral, is currently the subject of a multi-million dollar fund raising effort to allow for restoration of its Church building. Fund raising and restoration have been facilitated through the formation of a separate social services agency, the Center for Urban Family Life (CUFL), which leases the church building and can apply to funders who would not otherwise provide funds to a religious institution. FUCO and CUFL have already been awarded a \$900,000 grant from the Federal Emergency Management Administration (FEMA), and they are hopeful that significant private contributions will be made over the next year.

Although an analysis of this funding strategy is beyond the scope of an EIR, it is true that this strategy could be employed by the Diocese or another agency to restore or retrofit the Cathedral. However, this strategy only works for buildings with significant amounts of space used for non-religious purposes (as is the case with FUCO); the Cathedral is currently almost exclusively a religious building.

Response 3-7: Pages 46 and 50 of the DEIR, including Impact A-2, have been revised, as shown in Chapter III of this FEIR, to refer to the *Oakland Sharing the Vision* document.

Response 3-8: Page 78 of the DEIR has been revised, as shown in Chapter III of this FEIR, to show that the building is more likely to be eligible under the new rating system.

Page 78 of the DEIR has also been revised to show that the Landmarks Preservation Advisory Board may recommend landmark status despite an owner's objections.

Response 3-9: Page 78 of the DEIR has been revised to eliminate the word "deference".

Response 3-10: Chapter VI of the DEIR identifies unavoidable and irreversible impacts that would result from the project even with implementation of recommended mitigation measures. The commentor is not

correct in implying that the proposed mitigation measures would lessen most impacts to less-than-significant levels. In fact, the EIR clearly states that a number of impacts would remain significant even if all potential mitigation measures are adopted. If the project is approved, the City will have to adopt a statement of overriding consideration indicating that the benefits of the project will outweigh its adverse impacts. Feasible mitigation measures that will appreciably reduce significant impacts will be incorporated into project approvals, if granted.



National Trust for Historic Preservation

July 20, 1992

Oakland City Planning Commission
Charles Bryant, Environmental Review Coordinator
Oakland City Planning Department
1330 Broadway, Suite 310
Oakland, CA 94612

RE: St Francis de Sales Draft EIR

Dear Members of the Planning Commission:

I would like to bring to your attention the enclosed September 9, 1991 letter to the Diocese of Oakland and request that it be included in the EIR analysis of this project. It provides a response to the Diocese's consultants' questions about the contents of the Preservation Advisory Services Team (PAST) report prepared on St. Francis de Sales Cathedral. The Diocese's questions were included in the Draft EIR, but our response was not.

4-1

The enclosed letter addresses questions about both earthquake hazard reduction and costs, reaffirming that a phased repair and rehabilitation plan is possible and noting that a detailed independent cost analysis had not been completed. We believe that this letter should be addressed in the EIR analysis and considered by the Planning Commission as it seeks to make an informed decision concerning the fate of this landmark property.

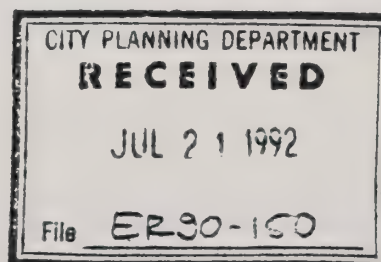
Thank you.

Sincerely,

Lisbeth Henning
Lisbeth Henning
Assistant Director
Western Regional Office

Enclosure

cc: Oakland Heritage Alliance



Western Regional Office
One Sutter Street, Suite 707
San Francisco, CA 94104
415 398-0810 FAX 415 398-0837

National Office:
1785 Massachusetts Avenue, N.W.
Washington, D.C. 20036
202 673-4000



National Trust for Historic Preservation

September 9, 1991

Reverend George E. Crespin
 Vicar General/Moderator of the Curia
 Diocese of Oakland
 2900 Lakeshore Avenue
 Oakland, CA 94610-3614

Dear Father Crespin:

I have been trying to reach you by phone to discuss statements made on both sides of the St. Francis de Sales issue and to talk about how to respond to the differences of opinion that exist on the technical issues. In my opinion, talking rather than exchanging letters would save us all time and frustration.

Since we have been unable to connect by phone, I did want you to have the following which combines the responses by Page Ayres Cowley and Michael Krakower to the consultant letters Clem faxed me August 15. We were disappointed that the report was apparently not taken in the spirit it was intended, that is to revisit the key questions of building significance, whether repair is possible and the range of probable cost options available. It was our aim to take a new look at these questions and point out new ideas or alternatives for further and more detailed consideration.

Both Page Ayres Cowley (212-777-7800) and Michael Krakower (213-682-2871) are available by phone to Clem or your consultants. It would seem that the best way to handle questions on techniques or ideas proposed for exploration would be to have the technical consultants simply get on the phone and talk rather than exchanging letters without the benefit of professional give and take. We have never doubted the technical ability or competency of your consultants but have looked at the project in different ways.

Gillis Judson Wade letter

1. Division 88 of LA is the earthquake hazard reduction ordinance that CALBO-SEAOC, used by the city of Oakland, comes from (see comment below in Degenkolb section).

Western Regional Office
 One Sutter Street, Suite 707
 San Francisco, Calif. 94104
 415-398-0011

National Office:
 1785 Massachusetts Avenue, N.W.
 Washington, D.C. 20036
 202-637-4000

We believe that a phased campaign as suggested is possible with priority one being structure and life safety. Deferring work on elements such as the stained glass, organ repairs or painting is possible and worth consideration, we believe.

3. Comments on cost were based on Page Ayres Cowley's and Gordon Beveridge's experiences on methods for cost estimates. We believed that without a scope of work that describes the extent, quantity, expectation and level of quality demanded, accurate costing is difficult at best. Our consultants would have recommended a range of costs for maximum and least intervention at this early stage.
4. As to phasing, Phase I is all the seismic work. The sheathing referred to in Phase II is for repairs to defective roof boarding and has nothing to do with the seismic upgrade. That's why it is referred to in the report as "roof repair" in order to distinguish the two phases. Removing the tower, while not desirable, would reduce cost and risk. Several visible LA landmark churches have shortened or rebuilt towers and still function well. It was offered as an idea for consideration.
5. Again, as an alternative, the stained glass could be done one window at a time if absolutely necessary. Our consultants did not believe that it would cost \$800,000 even if only the transept windows were done.
6. The window work assumed that the coinciding concrete work is the only method available.
7. Plywood diaphragms could all be done from the attic side negating re-roofing.

Oliver and Company letter

1. No challenge was made to the costs for the LA work. Kariotis and Associates would be glad to discuss their earthquake hazard reduction schemes with a review of their analysis and drawings. Construction cost discussion for specific churches and site visits to view completed work is feasible if the Diocese team is interested.
2. Unless the condition is known and quality of the work stated, pricing items such as pew restoration and stained glass will vary considerably. Page contacted Oliver's pew restoration and stained glass subcontractors directly with Milhous' permission. They indicated that they, too, made brief visits to the site. No documentation or

analysis of the goals of the restoration were made. Alan Dragge of Reflections said his price was a lump sum based on a worse case scenario. He said that he hadn't seen the glass up close - i.e. from scaffolding, taking tests and samples of the lead using transmitted and reflected light to determine the extent of buckling and failure. While we were not trying to pick apart specific inaccuracies, this is an example of how inaccuracies can develop in producing cost estimates and we felt it worth noting.

3. Where data was missing from the cost report, the PAST team acknowledged this and stated when Oliver's costs were used and incorporated into the PAST team phases. The consultants looked very cautiously at their numbers and Page did, indeed, contact Oliver and Company during the site visit.

Degenkolb letter

1. According to the Oakland ordinance, if more than 20% of the strength is lost, the CALBO-SEAOC document is used. Mike Krakower just completed a complicated earthquake repair on the Reliance Upholstery Supply Building in Oakland using the CALBO-SEAOC document and it was approved by the building department. It is Mike's opinion that the cathedral lost more than 20% of its strength and that the CALBO-SEAOC applies, not the 1988 UBC.
2. Center core has not been approved by the City of LA because of inadequate research and testing. Analysis techniques are available to evaluate slenderness based upon the response of the diaphragms. Alternatives to mitigate slenderness include steel frames in the interior, reconstruction of the wall with reinforced masonry and confining the wall with a reinforced concrete membrane on both sides. Obviously the aesthetics and serviceability of such alternatives would need to be reviewed with the architects but the point is that there may be several ways to accomplish the goal.

Finally, I do not believe that the press coverage on this issue has been very accurate, yet I am puzzled that you were surprised by the release of the report to the press. At our site visit meeting and in my July 26 report cover letter to you, I explained that we planned to release the report to the press on August 5 - actually it was released a week later. I probably would have been willing to delay the release to accommodate your desire to prepare a response had you just asked.

I still believe that it would be worth talking in an attempt to clear up several misunderstandings that have undermined our spirit of cooperation over the past year leaving technical issues to your

consultants and the PAST consultants to discuss separately if there is a desire to do so. I now will be out of the office until September 23, but I hope to hear from you after that date.

Sincerely,

Lisbeth Henning

Lisbeth Henning
Assistant Director
Western Regional Office

**LETTER 4: LISABETH HENNING, NATIONAL TRUST FOR HISTORIC
PRESERVATION (NTHP)**

Response 4-1: Comments noted. The referenced letter is attached to the comment letter and has been reproduced as part of this Final EIR.

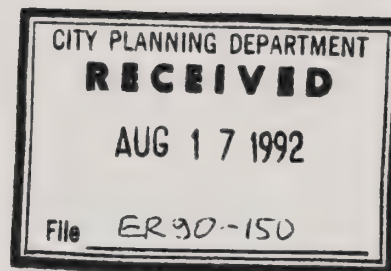
No response to the September 9, 1991 letter is required, since it does not comment on the Draft EIR. However, this letter has been used in preparing the expanded alternatives discussion contained in this Final EIR.

AIA East Bay

A Chapter of The American Institute of Architects



August 14, 1992



Planning Department
City of Oakland
Attn: Charles S. Bryant
Environmental Review Coordinator
1330 Broadway, Suite 310
Oakland, CA 94612

Re: Draft Environmental Impact Report for St. Francis de Sales
Demolition

Dear Mr. Bryant:

The Historic Preservation Committee of the AIA East Bay has had an opportunity to review the Draft Environmental Impact Report for St. Francis de Sales Demolition, which aptly describes the historical and architectural importance of this building. We have found it deficient in several ways.

1. The proposed use is less than what previously existed. An active religious institution provides greater amenity to a City than a parking lot. 5-1
2. No substantive effort has been made to explore alternative economic uses of the site which would incorporate retention of the building. This would include a sale to others for some form of adaptive reuse. No serious effort has been made by the Diocese to investigate adaptive reuse on its own behalf. 5-2
3. No substantive effort has been made to sell the property to another religious organization that might be prepared to repair the building. 5-3
4. The structure is stable and presents no threat to health and safety while substantive studies could ensue. 5-4

Planning Department
August 14, 1992
Page Two

These deficiencies render granting a demolition permit highly precipitous at this time. Granting this permit should only be a "last resort," and absent good faith efforts to find an alternative solution, this application should be rejected.

5-5

On behalf of the Historic Preservation Committee,

Peter A. Ekstein, AIA
Chair

**LETTER 5: PETER EKSTEIN, HISTORIC PRESERVATION COMMITTEE,
AIA EAST BAY**

Response 5-1: Comment noted. The impacts of the physical change are explored in the EIR. The social effects are beyond the purview of CEQA (Section 15131).

Response 5-2: The Retrofit Alternative discussion, described in Chapter V of the DEIR, has been expanded and appears in the revised chapter contained in Chapter IV of this FEIR.

Response 5-3: Comment noted. This comment does not address a substantive issue in the EIR.

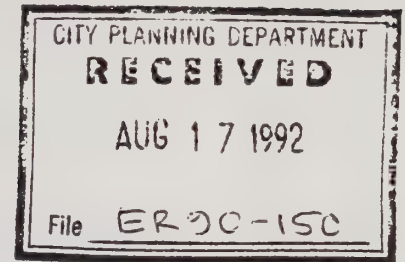
Response 5-4: As Stated on page 50, paragraph 3 of the DEIR, the City has determined that the building continues to be a threat to health and safety even with the temporary structural supports.

Response 5-5: Comment noted. This comment does not address a substantive issue in the EIR.

OAKLAND HERITAGE ALLIANCE
P.O. Box 12425
Oakland, CA. 94604

August 17, 1992

Oakland City Planning Commission
Attention: Charles S. Bryant, Envir. Review Coordinator
Oakland City Planning Department
1330 Broadway, Suite 310
Oakland, CA. 94612



Dear Mr. Bryant:

Thank you for the opportunity to review and comment on the Draft EIR for the demolition of the St Francis De Sales Cathedral. As you know, OHA favors the rehabilitation and reuse of historic structures such as the Cathedral, so that they can contribute to the life and vitality of Oakland neighborhoods.

We would like to express several concerns about the document and the overall environmental review process:

First, we believe that the title of the project should accurately reflect its substance, "Demolition of the St Francis De Sales Cathedral." 6-1

Second, we are gratified that the Draft EIR correctly identifies the environmental effects associated with the demolition of this historic structure as significant. In fact, the Draft EIR identifies significant effects in up to four categories (Land Use and Policy, Visual and Design Factors, Historic Resources, and Short-Term impacts of Construction). As you know, CEQA requires that the Commission, as the decision making body, adopt findings prior to the decision to carry out or approve a project that would result in a significant environmental effect. These findings must state that the mitigation measures and alternatives which would result in less than significant environmental effects are infeasible, and must be "supported by substantial evidence in the record." We feel that the Draft EIR, as written, does not provide substantial evidence that rehabilitation and reuse of the Cathedral is infeasible. The Draft EIR states repeatedly that "the associated work and costs [of restoration] have been studied by the applicant who has stated that restoration would be financially infeasible." (I refer you to pages 50, 51, 55, 79, and 100 for examples of this type of language.) OHA does not believe that this statement constitutes substantial evidence in the record. Likewise, we believe that in the absence of additional information, explanation, and analysis, the somewhat confusing and contradictory information provided in the appendices also does not constitute substantial evidence in the record. 6-2

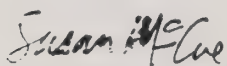
The National Trust for Historic Preservation has submitted a letter for the record which contains their response to the Diocese' review and comment on the PAST report, which is contained in the appendices. Many of their comments relate directly to the cost of rehabilitation, and reflect the conclusions of the team experts with respect to the Diocese' cost figures and comments. This information should be included and analyzed in the Final EIR. 6-3

On another issue, the Draft EIR discusses cumulative impacts and describes other historic resources in Oakland which are threatened or actually proposed for demolition. The logical next step would be to acknowledge that these proposed and potential demolitions are cumulatively considerable. Decision makers in Oakland are letting our significant assemblage of historic, architectural, and cultural resources slip away by approving private proposals for individual demolitions and alterations -- Let's face up to that fact and disclose it to the public in this and subsequent environmental documents.

6-4

In closing, I would like to complement the consultant and City staff in preparing a document which correctly identifies effects associated with the demolition of historic buildings as significant, and for suggesting a variety of mitigation measures, and alternatives. Regretfully, demolition of an important historic resource such as the St Francis De Sales Cathedral is the kind of environmental impact which can not be mitigated to a less than significant level.

Sincerely,



Susan McCue, Co-Chair
Preservation Action Committee
Oakland Heritage Alliance

Attachments

cc: OHA Preservation Action Committee

**LETTER 6: SUSAN McCUE, PRESERVATION ACTION COMMITTEE,
OAKLAND HERITAGE ALLIANCE**

Response 6-1: All the document's headers and graphic titles include the word demolition in it. The cover page has been revised to say "St. Francis de Sales Cathedral Demolition Final Environmental Impact Report."

Response 6-2: Please see the revised Alternatives Chapter and Response 3-1 for a discussion of the cost implications of alternatives to demolition. Methods proposed for restoration and retrofitting are discussed in the Appendix of the DEIR and appear in the revised Alternatives Chapter in Chapter IV of this FEIR. This provides substantial evidence in the record.

The information provided in Appendix B of the DEIR, the PAST report, appears contradictory because the experts disagree on the methods for estimating costs and carrying out the restoration. CEQA does not require an EIR to resolve differences between experts, but only to state that such differences exist.

Response 6-3: Please see Response to Letter 4.

Response 6-4: Page 111 of the DEIR discusses the potential cumulative impacts of the demolition project.

St. Francis De Sales Cathedral
Draft Environmental Impact Report
Oakland City Planning Commission
July 22, 1992

Honorable Planning Commissioners

My name is Hugh Galen Reid. I am a resident of the City of Oakland, and a member of the St. Francis De Sales Cathedral worship community. I thank you for this opportunity to speak before you about the demolition of the St. Francis De Sales Cathedral.

First I would like to thank all who have participated in the preparation of the Draft Environmental Impact Report before you today, this report seem to be very comprehensive, and a valent attempt to discuss all aspects of a very difficult situation in which we are found. Most certainly this has been one of the most diffacult decisions our Bishop John Cummins, has had to make.

I have been a member of the St. Francis De Sales Cathedral worship community for close to Thirtv Years (30 Years). I can remember when I first came to the City of Oakland as a soldier, looking for a Catholic Church in which to worship, getting in a Cab and asking the driver to take me to a Catholic Church. St. Francis De Sales is where he brought me. I remember standing inside the door and marveling at the beauty of this church. I was a stranger and they welcomed me, and made me feel like this was my church as well as theirs. I can also remember the joy and pride that our humble parish would become the seat of the Bishop of the New Diocese of Oakland, and the celebration that followed. I shall always have many wonderful memories of St. Francis De Sales Cathedral, some are sad and disappointing, but many more are of joy and celebration. Thus it is with great sadness and sorrow that I stand here this evening, with a heavy heart, and a prayerful spirit, to support the demolition of the Cathedral of St. Francis De Sales, respectfully requesting that you accept the Draft Environmental Report before you.

I am sure I can share with you all the joy and the planning that has been done by the Commission, Bishop of the Oakland Catholic Diocese, and the many, many, many people who have celebrated with us in the St. Francis De Sales worship community and last Mass in Cathedral on within and walls of our great Cathedral. I realize that this would be a very sad day for all, but I am sure that it is a day that will be a day of new beginnings and new beginnings for all of us and that we have seen and heard and will.

Hugh Galen Reid
1000 14th Ave. N.E.
Oakland, CA 94612

Exhibits Received at City Planning
Commission Meeting
Date 22/JUL/92 Case No. 92-9-50

7-1

LETTER 7: HUGH GALEN REID, OAKLAND

Response 7-1: Comment noted. This comment does not address a substantive issue in the EIR.

PAULINE MASSONI
6666 OAKWOOD DR
OAKLAND CA 94611 06AM

WESTERN
UNION

MAILGRAM



8

1-009493K219 08/06/92 ICS IPMBNGZ CSP OKAD
5043392817 MGMB TDRN OAKLAND CA 156 08-06 0441P EST

CITY PLANNING DEPT ROBIN KREGER
1330 BROADWAY
SUITE 310
OAKLAND CA 94612

RE: ST FRANCIS DE SALES CATHEDRAL, DRAFT ENVIRONMENTAL IMPACT REPORT,
APPENDIX PAGE 117.

THE UNITED STATES THROUGH CONGRESS HAS DECLARED THAT THE FEDERAL
PUBLIC POLICY IS TO ASSIST STATE AND LOCAL GOVERNMENTS IN THE
PRESERVATION OF OUR HISTORIC PROPERTIES FOR FUTURE GENERATIONS OF
AMERICANS. SEE VOLUME 16, U.S. CODE SECTION 470 FOR THE EXPRESSED
CONGREGATIONAL FINDINGS AND DECLARATION OF PUBLIC POLICY.

8-1

IT NECESSARILY FOLLOWS ST FRANCIS CATHEDRAL SHOULD BE AT THE TOP OF
THE LIST FOR PRESERVATION UNDER FEDERAL PUBLIC POLICY, AS WELL AS FOR
FUNDING BY STATE OR LOCAL FUNDS EARMARKED FOR QUAKE RELIEF AS WELL AS
REDEVELOPMENT FUNDS.

THERE IS NO CONFLICT BETWEEN THE SEPARATION OF CHURCH AND STATE RULE.
NO DEMOLITION PERMIT SHOULD BE GRANTED, AFFIRMATIVE COOPERATION
SHOULD BE
TAKEN BY THE CITY IN CONFORMITY WITH THE CONGREGATIONAL DECLARATION
OF PUBLIC POLICY, TO PRESERVE THIS HISTORIC PROPERTY.

RESPECTFULLY,
PAUL F PERATI

16:40 EST

MGMCOMP

LETTER 8: PAUL PERATI, OAKLAND

Response 8-1: Comment noted. Discussion of funding sources is not within the purview of environmental review.

August 9, 1992

To Whom It May Concern:

The report was put together superbly 9-1
well and the amount of work that
went into it had to have been countless
hours and hours of time which no one
could ever pay them for this labor.

I can only hope and pray that
something good will come from the
Draft Environmental Impact Report.

I work very hard as a layman trying
to save St. Francis De Sales Cathedral.
Because of 2 ladies that had been part of
this church all their life.

I'm sorry to make this letter so short.
But I do indeed want send to me a
copy of the final E.I.R.

Sincerely,
Constance Carter
P.O. Box 5771
Berkeley CA 9470
WK# 415-777-5959

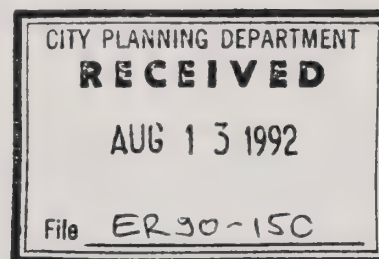
LETTER 9: CONSTANCE CENTER, OAKLAND

Response 10-1: Comment noted. No response is necessary.

MARGARET M. O'DOWD
950 DUNCAN STREET, APT E306
SAN FRANCISCO, CA 94131

August 12, 1992

Mr Charles S. Bryant
 Environmental Review Coordinator
 Oakland City Planning Department
 1330 Broadway St., Suite 310
 Oakland, CA 94612



Re: St. Francis de Sales Cathedral Environment Impact Study

Dear Mr. Bryant:

I am responding to some of the data in the E.I.R. prepared for the hearing for the demolition of St. Francis de Sales Cathedral. My primary concern about the report is the future of Bishop Begin Plaza. I also am providing some additional information about the parish which is more current than appears in the report.

Prior to the Earthquake, Bishop Begin Plaza was frequently occupied by people who came down to drink and party all night long or worse, drug dealers. We frequently observed this activity coming and going from our parish meetings or social events in the evenings. Because of this disturbing activity, our neighbors, who live in the houses on 22nd Street called the police to clear the area. Within a few hours of being arrested or moved by the police, the people would reassemble in the Plaza. Since the fence has been up around the plaza, this has not been a problem. Could the Park and Recreation Department review the plaza and realistically evaluate its use by interviewing the people in the neighborhood?

10-1

Some suggestion was made that perhaps a basketball court could be put in the parking lot for our parishioners and the neighbors. Our parish consists of mostly adults, many of whom are seniors citizens and very few families. The children in the neighborhood are encouraged to use the center at the Baptist Church. The Center includes an indoor basketball court and the children are supervised and are part of a homework club and other activities to help them in school.

10-2

I also have few additions to make on the data on the parish to make it more current. As a parishioner of the Church and past President of the Parish Council for the last 4 years, I am a little surprised that no one from the parish including our pastor, Fr. Jim Keeley was interviewed for this report. I have never heard of Dr. David Ramsey who is quoted on page 75. While he may be a Catholic in our Diocese, I do not recognize the name as a parishioner of St. Francis de Sales.

10-3

I would respond briefly to Dr. Ramsey's and other comments about the parish. While it is true that our parish was known world wide for our liturgy, this post Vatican II approach to liturgy is now being implemented throughout the Diocese and in other Dioceses around the U.S. No longer do people have to drive in from the suburbs to experience this participative style of liturgy. In fact, the Diocese is very committed to liturgy as evidenced by the existence of the Diocesan Office of Worship which serves as a resource for all 87 parishes in the Diocese.

Times have changed and as a parish, we are committed to meeting the challenges of the needs of the inner city and cultural diversity. Perhaps the most prominent of our social outreach programs is our homeless shelter which is run by Berkeley Oakland Social Services from January through April or May. We provide the space for the shelter and our parishioners serve the guests breakfast and dinner each day. In addition, our parishioners work at the AIDS Center, tutor at Lafayette School and help out with the Baptist neighborhood youth program. We also deliver Thanksgiving and Christmas dinners to the people served by Meals on Wheels. Many of these activities also attract people from outside of the geographic parish who contribute financially and/or come in to participate in these programs.

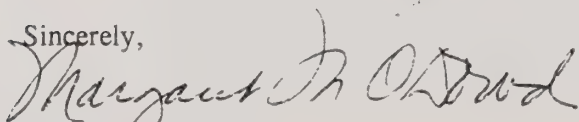
In addition to being involved in our outreach programs, our Ethnic Concerns Committee sponsors the International Food Festival on the last Sunday in July. They invite ethnic groups to perform such as Karilagan, a Filipino children's dance group and Troupe Movement, which specializes in traditional black African dance. This is in the tradition of having groups such as the Pickle Family Circus, but with an ethnic twist.

We continue as a parish even without the church building. We have 4 Masses on the weekend and daily Mass daily at 7 and 12:15 during the week in our Community Center Worship Space. Some of the decline in our attendance is directly attributable to the limited space in the Community Center where we have Mass. We can only accommodate 180 people in our worship space. We still have about 500 families as parishioners and have been able to continue to financially support our programs.

We maintain a strong relationship with the First Baptist Church at 21st and Telegraph. They invited us to have Mass in their building immediately after the earthquake until our Community Center was determined to be safe. We continue to have evening prayer together during Lent and Advent and a joint worship service every January. We use their facilities to prepare the Thanksgiving and Christmas dinners.

While the Cathedral building is an important symbol of the Catholic Church presence in downtown Oakland, the St. Francis de Sales parish presence in the inner city is more important than the building. I hope that you will take that into consideration in making a determination about the demolition permit.

Sincerely,



Margaret M. O'Dowd

LETTER 10: MARGARET M. O'DOWD, SAN FRANCISCO

Response 10-1: Comment noted. This comment does not address a substantive issue in the EIR.

Response 10-2: The DEIR has been revised in response to this comment, as shown in Chapter III, by deleting mitigation measure B-2b, which called for the inclusion of basketball hoops in the new parking lots.

Response 10-3: Dr. David Ramsey is an expert in modern religious art and works at the Archives for Modern Christian Art at Notre Dame in Belmont, California. He was contacted on a broad range of questions related to the Cathedral's art and historic resources. He is not a parishioner at St. Francis de Sales. Fr. Jim Keeley was not contacted because Dr. Ramsey's responses were sufficiently informative. Paragraph 3, page 75 of the DEIR has been revised to clarify that Dr. Ramsey is not a parishioner of the church.

Response 10-4: Comments noted. These comments do not address substantive issues of the EIR.

RANDOLPH LANGENBACH
OFFICE
 339 15TH STREET, 3RD FLOOR
 OAKLAND, CA. 94612
 (510) 839-2814
 FAX: 836-0942

HOME
 (510) 428-2252

8/16/92

Robin Kreger, Environmental Planner
 City Planning Department
 1330 Broadway, Suite 310
 Oakland, California 94612

RE: St. Francis de Sales Cathedral Draft EIR

Dear Ms Kreger:

I am submitting this letter as comments to the Draft Environmental Impact Report. Please include the responses to the points listed below in your Final EIR on the Demolition of St. Francis de Sales Cathedral.

In my opinion, the St. Francis de Sales Cathedral is one of the most important historical buildings in the City of Oakland, and its presence in the city's downtown is critical to the quality of the city's environment. Few buildings are as important as landmarks as this one is. It provides an impressive sight from the major freeway coming into the city, and it is a distinguished anchor to an area of the city otherwise sadly depleted of its urban fabric.

11-1

The building is also of symbolic importance. The loss of the Cathedral as an institution in the downtown, occupying the site as it did until the earthquake -- such a conspicuous and impressive building -- would be a serious blow to Oakland at a time when the City is struggling to restore its urban vitality and economic strength.

In reading the Draft EIR prepared for the City of Oakland dated June, 1992 on the demolition of the St. Francis de Sales Cathedral, I find that it is **woefully deficient in its identification and description of alternatives to demolition**. The EIR identifies six alternatives, including demolition and "no project" (i.e. leaving it as it is.) However, these alternatives are described and evaluated in only about one and a half pages of text, none of which contains *any* financial data or assessment of feasibility.

11-2

Only two of the alternatives: "Restoration of the Cathedral", and Retrofit [of the Cathedral] for an Alternative Use" are genuine alternatives to the environmental impact of demolition. However, neither of these two alternatives are really described in any detail. The deficiencies of the EIR include, but are not limited to, the following points:

1) Restoration of the Cathedral: Alternative

- The EIR simply repeats the Diocese of Oakland's position that "the associated work and costs [for restoration] have been studied by the applicant who has stated that restoration would be financially infeasible. No definition is offered as to what total costs would be feasible, and what is not. No data is provided as to the nature of the engineering work, or the costs independently arrived at by others not under the control of the applicant.

11-3

Since the engineering and the economics have been cited repeatedly by the Diocese as the reason for the need to demolish the building, it is mandatory that the EIR address and analyze both the engineering and the economic issues in the EIR. The report states that this "is beyond the scope of this EIR." However, an EIR which lacks this analysis is meaningless, and my understanding is that the CEQA requires just such an analysis. 11-3

- No alternative designs for restoration of the building have been developed which could lessen the cost of the seismic retrofit and repair of the structure. Both of the architectural and engineering alternatives to that which has been developed by the Diocese need to be explored before the requirements of the EIR process are satisfied. Such alternatives can include: 11-4

- 1) changes to the size and shape of the sanctuary,
- 2) the installation of visible reinforcing (which is less expensive) in lieu of hidden reinforcing of the masonry (which is more expensive) on the inside and outside of the building,
- 3) temporary removal of the top of the masonry portion of the tower pending future sources of funding for its restoration, and
- 4) alternative engineering procedures for code conforming work to those proposed by the Diocese's engineers.

- No alternative cost data has been offered or analyzed. In fact, no figures for the costs of restoration have been included. There have been many contractors, particularly in Los Angeles, who have undertaken code conforming upgrades of large unreinforced masonry churches for far less cost than has been stated by the Diocese that this Cathedral would require. An independent review by a contractor with extensive experience with this type of building should be carried, based upon the engineering alternatives developed as suggested above, in order for this EIR to be complete. 11-5

2) Retrofit for an Alternative Reuse Alternative:

- No specific reuse alternatives have been either described or analyzed. In fact, it may be possible to propose a feasible reuse alternative which retains a major sanctuary, but adds spaces for other uses to the interior. In addition, many important church landmarks have been preserved in other parts of the country by conversion to other uses. Boston in particular is distinguished in the number and the design quality of adaptive reuse projects converting churches to housing. In this Oakland neighborhood, housing and live-work studios may be successfully developed into the Cathedral. While this would fill-in the interior, the landmark presence of the exterior would be preserved to the benefit of the city. 11-6

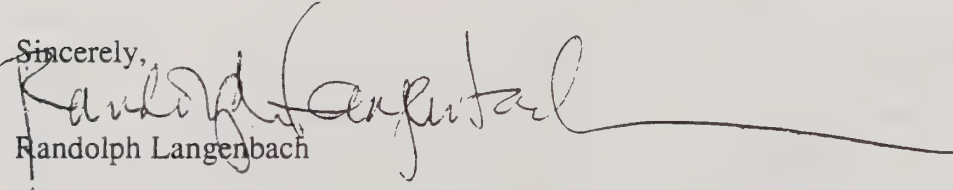
- While the EIR states that "the Diocese has expressed a willingness to consider selling the property...", it follows with the statement that "the Diocese has been unable to locate a potential buyer or lessor for the building." No details have been provided as to what effort in this direction has been made. No proposal has been delineated as to what type of offer and terms would provide evidence of an acceptable effort to sell the church for a preservation use. 11-7

- To my knowledge, the church has never been advertised or formally been made available for sale. I feel that it is important for the EIR to be complete, that it provide a clear and acceptable proposal on how the adaptive reuse alternative can be carried out, and its comparative feasibility. 11-8
- No financial feasibility data has been provided on any alternative use proposal. Since the demolition of the church has been stated by the Diocese as necessary on economic grounds, the EIR is deficient if the alternative use of the building is not examined on these same grounds. 11-9

The above comments focus on some of the most important deficiencies which appear in the Draft EIR. All of the other Alternatives to the Project are similarly deficient. At present, the Draft EIR fails to provide the kind of information which is needed in order for the City to make a reasoned decision on this important subject.

I wish to stress that the historical section outlining the Cathedral's architectural and historical evolution and importance, as well as its eligibility for Landmark status and inclusion in the National Register, is very good, and serves to strengthen the claim that it should be preserved. The rest of the report, however, fails completely to provide information which either objectively supports the Diocese's contention that the restoration is infeasible, or which provides for any reasonable evaluation of possible alternatives to demolition. 11-10

Sincerely,


Randolph Langenbach

LETTER 11: RANDOLPH LANGENBACH, OAKLAND

Response 11-1: Comment noted. Please see Chapter IV. B. Visual and Design Factors and C. Historic Resources of the EIR which describe the attributes of the Cathedral in its existing setting.

Response 11-2: Methods proposed for restoration and retrofitting are discussed in the Appendix of the DEIR and related discussions have been expanded in the revised Alternatives Chapter in Chapter IV of this FEIR.

The Alternatives Chapter has been revised to provide cost estimates where available. CEQA does not require a financial feasibility analysis, only a presentation of "a range of reasonable alternatives" which can feasibly mitigate physical impacts of the project. According to the decision in *San Bernardino Valley Audobon Society, Inc. v. County of San Bernardino*, an EIR must produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned. Please also see Response 3-1.

Response 11-3: This EIR cannot assess the capability of the Diocese to fund the various alternatives; however the independent evaluation presented in the PAST report concludes that fund raising for restoration of the Cathedral may be infeasible. The issue of economic feasibility is beyond CEQA's mandate to analyze the physical impacts of a project (Section 15131). Information on engineering work necessary for the Restoration Alternative is included in Appendix B of the DEIR. Please also see Response 3-1.

Economic factors are important in determining whether changes in a project are feasible to reduce or avoid significant impacts. CEQA does not require that they be contained in the EIR, only that they be added to the record. Typically, these factors are discussed in the staff report for the decision on project permits or other approvals. However, in this case the Appendices to the Draft EIR contained significant information on the economic factors relevant to this project. To further elucidate this issue this Final EIR reproduces the entire Alternatives Analysis chapter with revisions incorporating relevant information from the appended economic analyses.

Response 11-4: The PAST report included in Appendix B of the DEIR presents a variety of restoration alternatives that would reduce or defer costs. The Alternatives Chapter also includes information on alternatives and has been revised to summarize more technical information available on the restoration alternatives, including the suggestions made by this commentor.

Response 11-5: Please see Response 3-1 for a discussion of the cost and economic implications of alternatives to demolition and the scope of the EIR as it relates to this issue. Methods proposed for restoration are discussed in Appendix B of the DEIR and shown in the revised Alternatives Chapter in Chapter IV of this FEIR. The PAST report presents an independent review of costs. However, such review is not necessary in this EIR, as suggested by the commentor, because the EIR meets CEQA requirements by assessing a reasonable range of alternatives. Furthermore, economic or social information is not required to be presented in an EIR (Section 15131).

Response 11-6: The Alternatives Chapter has been expanded in this Final EIR to include the commentors suggestions on retrofitting options.

Response 11-7: As shown in Letter 1, Comment 1-9, the Diocese has expressed a willingness to sell the property only after demolition and not before. The Diocese does not intend to sell the church for a preservation use. Page 103 of the DEIR has been revised to reflect this updated information.

An analysis of the Diocese's efforts to locate a potential buyer is beyond the scope of the CEQA required review.

Response 11-8: The City does not have authority under CEQA or any other statute to require that the Cathedral be offered for sale prior to demolition. The unwillingness of the Diocese to sell its property may make this alternative infeasible.

Response 11-9: Please see Response 3-1.

Response 11-10: Comment noted.

Frederick C. Hertz
ATTORNEY AT LAW

1970 Broadway, Suite 940
Oakland, CA 94612-2263

Telephone 510-451-4114
Facsimile 510-451-4115

August 17, 1992

Robin Kreger, Environmental Planner
City Planning Department
1330 Broadway, Suite 310
Oakland, California 94612

Re: St. Francis de Sales Cathedral Draft EIR

Dear Ms Kreger:

This letter constitutes comments to the draft EIR for the demolition of Saint Francis de Sales Cathedral. I understand that the comment period extends until today. Please notify me when the responses have been produced, and send me a copy of these responses. Please let me know the date of the EIR certification hearing.

The law in California is clear that an EIR must describe in detail all reasonable or feasible alternatives to the demolition of a significant building. Public Resources Code §21081, 21061, 21002, 21100. The EIR must contain detailed facts and analysis, and cannot just accept the applicant's conclusions. Concerned Citizens of Costa Mesa v. 32d District (1986), 42 Cal. 3d 929, 935. The purpose of analyzing alternatives is obvious -- to help the decision makers reach their decision.

12-1

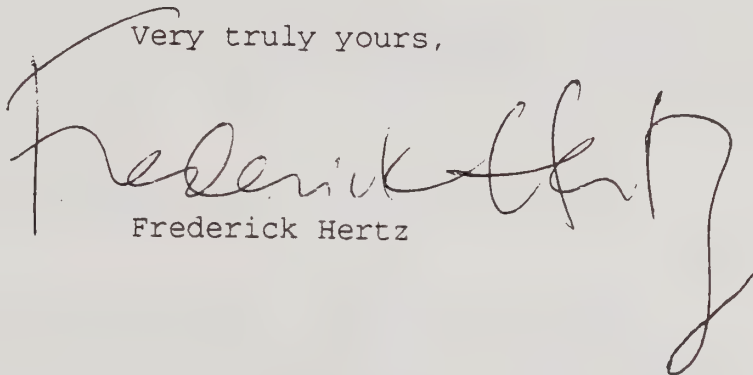
It is not enough for the EIR to simply conclude, as this one does, that it is "financially infeasible" to renovate St. Francis Cathedral (EIR page 100). In fact, the Supreme Court of California has stated that such alternatives must be analyzed, even if they appear to be financially infeasible. Citizens of Goleta Valley v. Board of Supervisors (1990), 52 Cal. 3d 553; Laurel Heights v. Regents (1988), 47 Ca. 3d 376. Just as occurred in the Laurel Heights, this EIR simply rejects alternatives as infeasible, without providing any supporting documentation. That EIR was ruled inadequate by the Supreme Court of California, and this EIR is no better in this regard.

12-2

As the Court stated in its Laurel Heights decision, "without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process." As the long history of the Goleta Valley cases display, it is only when the EIR fully documents its analysis of the alternatives that the EIR can be deemed sufficient.

This EIR is deficient in that it fails to include serious alternatives retrofit schemes, complete with alternative methods of repairing the earthquake damage and alternative prices for the retrofit. In addition, there are no real studies of alternative uses for this wonderful building. Until those alternatives are included, the EIR is legally inadequate and the demolition of the Cathedral cannot go forward.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Frederick Hertz". The signature is written in dark ink and is positioned below the typed name.

Frederick Hertz

FCH/mc

LETTER 12: FREDERICK C. HERTZ, OAKLAND

Response 12-1: Please see Responses 11-2, 11-4 and 11-5, which state that CEQA does not require the EIR to address all potential alternatives, but only a range of alternatives. The Draft EIR and the revised Alternatives Chapter fully document the potential environmental impacts of a range of six alternatives.

Response 12-2: Chapter V of the DEIR, which is revised in Chapter IV of this FEIR, analyzes the environmental consequences of the restoration alternative, as well as a range of other alternatives, as required by CEQA. It identifies this alternative as the environmentally superior alternative, even though the applicant has stated that it is financially infeasible for this alternative to be implemented. Furthermore, Appendix B of the DEIR presents detailed information about costs of restoration, including an independent analysis of economic and other considerations as detailed in the PAST report.

Response 12-3: Please see Chapter IV of this FEIR which contains an expanded discussion of alternative retrofit schemes and costs of the alternatives. Please also see Response 12-2.

This EIR discusses a range of alternatives, including retrofit and restoration options. Appendix B of the DEIR contains detailed analysis, including those of an independent team. Chapter IV of this FEIR is a revised alternatives analysis, which summarizes relevant portions of the Appendices. This exceeds the requirements of CEQA for review of alternatives.

**C. Oral Comments Received
at the July 25, 1992 Public Hearing**

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This section contains a summary of oral comments received at the July 25, 1992 Public Hearing. In some cases the commentor also submitted written comments which have already been responded to in the preceding section under B. Written Comments. In these cases, the reference is made to the earlier response.

13. ED WILKINSON

Comment 13-1: The church is an anchor to the neighborhood. Have all possibilities been looked at to get grants or financial assistance from the City?

Response 13-1: A review of funding possibilities is not within the scope of this EIR, nor is it required under CEQA.

14. RANDOLPH LANGENBACH

Comment 14-1: The EIR should look at alternative seismic strengthening, alternative reuse or sale, and associated costs.

Response 14-1: Please see Responses 11-4 and 11-6, which refer to similar concerns raised by the commentor in written comments.

15. PETER SMITH, PLANNING COMMISSIONER

Question: What additional uses do you suggest? (Question directed to Mr. Langenbach; see Comment 16.)

16. RANDOLPH LANGENBACH (continued)

Comment 16-1: An additional floor could be put in the building which would help strengthen it. Adaptive reuse might include housing. Boston contains many churches which have been converted to other uses successfully.

Response 16-1: Comment noted. Please see Response 11-6, which refers to similar comments made by the commentor in written comments.

17. ANTHONY PEGRAM, PLANNING COMMISSIONER

Question: What other approaches to strengthening might be available?
Would they necessarily lower costs of restoration as estimated by the Diocese?
(Question directed to Mr. Langenbach; see Comment 18.)

18. RANDOLPH LANGENBACH (continued)

Comment 18-1: I have no specific scheme in mind; however, the PAST report, prepared by the National Trust for Historic Preservation, indicates that some costs are likely to be lower than estimated by the Diocese engineer, Degenkolb Associates, and some estimated costs may not even be necessary.

Response 18-1: Comment noted. Please see Chapter IV of this FEIR and Appendix B of the DEIR for a discussion of the cost implications of the various alternatives.

19. ANNALEE ALLEN, OAKLAND LANDMARKS PRESERVATION
ADVISORY BOARD

Comment 19-1: Page 32 of the DEIR identifies the Cultural Heritage Commission as an entity that would be responsible for approving the project. This entity does not exist.

Response 19-1: Page 32 of the DEIR has been revised accordingly, as shown in Chapter III of this FEIR.

Comment 19-2: The EIR should speak to *Oakland Sharing the Vision* land use ideas contained in Chapter 4, Goal 6. This goal is directed at preserving the City's architectural heritage.

Response 19-2: Please see Response 3-7, which addresses this goal from the *Oakland Sharing the Vision Plan*. Pages 46 and 50 of the DEIR have been revised in response to this comment.

20. SUSAN McCUE, OAKLAND HERITAGE ALLIANCE

Comment 20-1: The Planning Commission must make findings of overriding concern for the four identified areas of significant effect.

Response 20-1: Comment noted. These findings will be considered by the City when the demolition permit itself is considered.

Comment 20-2: The DEIR does not give evidence that restoration is infeasible due to the applicant's lack of funding.

Response 20-2: Please see Response 10-3.

Comment 20-3: The cost information provided in the appendices is contradictory.

Response 20-3: This contradiction in cost estimates illustrates that the experts disagree about how costs should be estimated. As stated in the revised Alternatives Chapter, CEQA does not require that an EIR resolve these disagreements.

Comment 20-4: The DEIR should look at the considerable cumulative impacts of the proposed demolition.

Response 20-4: Page 111 of the DEIR discusses the potential cumulative impacts of the demolition project.

21. TED MILHOUS, GILLIS JUDSON WADE ARCHITECTS

Comment 21-1: The Diocese spent one year looking at the building before any decision to demolish it was made.

Response 21-1: Comment noted. This is not a substantive comment on the EIR, so it requires no further response.

22. HUGH GALEN REED

Comment 22-1: The Cathedral should be visually documented before demolition and anything that can be salvaged should be saved or offered to others.

Response 22-1: Mitigation measures C-1a and C-1e suggest the measures mentioned by the commentor.

23. REVEREND GEORGE CRESPIN

Comment 23-1: The EIR does not identify the spiritual impact on parishioners related to the loss of a place of worship. This loss shouldn't be allowed to continue.

Response 23-1: Comment noted. The impact noted is not a physical change in the environment, so it is not included in the EIR.

Comment 23-2: The financial estimates made by the Diocese' engineer, Degenkolb Associates, are sound. After a long fight over the restoration figures estimated for Sacred Heart, those estimates were also found to be sound.

Response 23-2: Comment noted. As evidenced in the letters contained in Appendix B of the DEIR and some letters within this FEIR, experts disagree about the cost estimates for restoration of the Cathedral. Therefore, a definitive statement regarding costs cannot be made at this time and is not required by CEQA.

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